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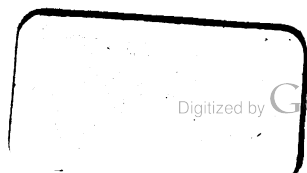
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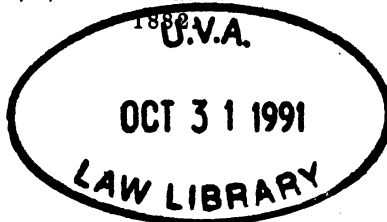


Henry Smith
Dec 1 1887

CLEARANCE
AND
ENTRANCE OF VESSELS
IN THE
UNITED STATES OF AMERICA.

BY
RICHARD WYNKOOP,
OF THE CUSTOM-HOUSE, PORT OF NEW YORK.

NEW YORK:
D. APPLETON AND COMPANY,
1, 3, AND 5 BOND STREET.



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P R E F A C E.

It was at first intended to treat the subject of this book in connection with that of the documenting of vessels of the United States ; but, upon second thought, a manual upon the latter subject was given to the public separately, and was published in October last by John Bliss & Co. That work met with such a measure of success as to encourage the author to proceed with this larger subject, which is of interest to many who have no concern with the other.

As in practical sequence clearance precedes entrance, the former topic is treated first ; although in popular speech it is more common to say entrance and clearance.

The word *entrance* is used instead of *entry*, because the latter, without qualifying words, is sometimes ambiguous, and might mean either the entry of the vessel by the master, or the entry of merchandise by the consignee. The latter is never called an entrance. Where a practice is stated without a citation of authority, unless it be expressly stated otherwise, the practice at the port of New York should be understood.

The sections of the Revised Statutes referred to in this work, and other sections, will be found in the Appendix.

The work is submitted to the public with confident trust that it will meet the wants of any one who has use for a book upon the subject.

RICHARD WYNKOOP.

NEW YORK, *June*, 1881.

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BOOK I.

CLEARANCE OF VESSELS.

CHAPTER I.

CLEARANCE COASTWISE, WHEN NECESSARY.

Licensed Vessels under 20 Tons, for a Near Port.

¶ 1. The master of a vessel of less than twenty tons burden, licensed for the coasting trade, destined from a district in one State to another district in the same or in an adjoining State on the sea-coast or on a navigable river, having on board either: (1) distilled spirits in casks exceeding five hundred gallons, or (2) wines in casks exceeding two hundred and fifty gallons, or in bottles exceeding one hundred dozens, or (3) sugar in casks or boxes exceeding three thousand pounds, or (4) foreign merchandise in packages as imported, exceeding in value four hundred dollars, or (5) merchandise consisting of such enumerated or other articles of foreign growth or manufacture, or of both, whose aggregate value exceeds eight hundred dollars—must, before her departure from the port where she may be, make out and subscribe a manifest in duplicate of the whole of such cargo, specifying the marks and numbers of every cask, bag, box, chest, or other package containing the same, with the name and place of residence of every shipper and consignee, and the quantity shipped by each. He must deliver the manifests to the collector, if there be one at such port or within five miles thereof, and make oath before him, to the best of his knowledge and belief, that the merchandise therein contained was legally imported, and the duties thereon paid or secured, or, if spirits distilled within the United States, that the duties thereon have been paid or secured. The collector must certify the same on the mani-

feasts, and return one of them to the master with a permit thereon, specifying generally the lading on board such vessel, and authorizing him to proceed to the port of destination. If there be a surveyor at the port of departure, or within five miles thereof, but no collector, such proceedings must be had before him. (Rev. Stat., § 4,349.) The penalty on the master for a failure to do as above stated to be necessary is one hundred dollars (§ 4,350).

Licensed. Vessels of 20 Tons or more, for a Near Port.

2. The master of a vessel of the burden of twenty tons or upward, licensed for the coasting trade, destined from a district within one of the great districts to another district within the same great district, or from a State in one great district to an adjoining State in another great district, having cargo as specified in paragraph 1, must observe the conditions therein specified, under like penalty. (Rev. Stat., §§ 4,349, 4,350.)

Licensed Vessels under 20 Tons, for a Remote Port.

3. The master of a vessel of less than twenty tons burden, licensed for the coasting trade, destined from any district of the United States to a district other than a district in the same or an adjoining State, on the sea-coast, or on a navigable river, must, previous to her departure; deliver to the collector residing at the port where such vessel may be, if there is one there, or to the collector of the district comprehending such port, or to a surveyor within the district, as the one or the other may reside nearest to the port at which such vessel may be, manifests in duplicate of the whole cargo on board such vessel; or, if there is no cargo on board, he shall so certify; and if there are any distilled spirits, or merchandise of foreign growth or manufacture on board, other than what may by the collector be deemed only sufficient for sea stores, he must specify in such manifests the marks and numbers of every cask, bag, box, or chest, or other package containing the same, with the name and place of residence of every shipper and consignee of such distilled spirits, or merchandise of foreign growth or manufacture, and the quantity shipped by and to each. The manifests must be subscribed and sworn by the master, before the collector or surveyor, and he must also swear that such merchandise of foreign growth or manufacture was, to the best of his knowledge and belief, legally imported, and the duties thereon paid or secured; or, if spirits distilled within the United States, that the duties thereon have been duly paid or secured. Upon the performance of these conditions, and

not before, the collector or surveyor must certify the same on the manifests, one of which he must return to the master, with a permit thereon, authorizing him to proceed to the port of his destination. (Rev. Stat., § 4,353.) The penalty on the master, if there be distilled spirits or merchandise of foreign growth or manufacture, is one hundred dollars; or fifty dollars if the vessel have no cargo. (Rev. Stat., § 4,354.)

Licensed Vessels of 20 Tons or more, for a Remote Port.

4. The master of a vessel of twenty tons and upward, licensed for the coasting trade, destined to a district other than a district within the same great district, or within a State adjoining such great district, with or without cargo, as specified in paragraph 3, must observe the conditions therein specified, under like penalty. (Rev. Stat., §§ 4,353, 4,354.) See second part of paragraph 11.

Registered Vessels of the United States.

5. According to uniform practice until the adoption of the Revised Statutes, under sections 20, 16, and 17, of chapter viii, February 18, 1793, a vessel under United States register must clear and enter when passing from any district to any other district. The rule of law has been obscured by the omission from section 4,361, after the word "provided," of the words *by sections 4,353-6*. The last-named sections correspond with sections 16 and 17 above mentioned.

A Treasury decision declares that such vessels are exempt from the necessity of clearing and entering when proceeding from a district in one State to another district in the same State, or in an adjoining State, unless she would have been liable under license, on account of having on board distilled spirits or foreign merchandise. (Decision 4,064, June 27, 1870; also Decision 4,294.) The words "adjoining State" must be limited to a State adjoining *on the sea-board*; otherwise it would follow that a vessel between the port of New York and a port of Rhode Island must clear and enter, while a vessel between New York and a port of Massachusetts need not, although the latter voyage would be between ports more remote than the former.

This change of practice exposes the marine hospital fund to some risk of loss; for, under section 4,585, the hospital tax on registered vessels on coasting voyages is to be exacted on entrance.

Such a vessel, however, must still clear and enter, between district and district, if foreign material has been used, free of duty, in the construction or repair of such vessel, in order that her register

may receive the proper indorsements, to show the length of time she has been employed in coasting voyages within the year. (Decisions 4,468, March 25, 1880; 4,498, April 19, 1880.)

Foreign Merchant Vessels.

6. The master of any foreign vessel, bound from one district of the United States to any other district of the same, must, previous to her departure, deliver to the collector a manifest, in duplicate, of the lading of his vessel, or of the fact that there is none, if there be none, and must verify the manifest by his oath, and must obtain a permit to proceed to the port of his destination. (Rev. Stat., § 4,367.) The penalty for neglect is one hundred dollars (§ 4,369). This provision is from the act of 1793.

The foregoing does not cover the case of a vessel which is to proceed with the remainder of her cargo brought from a foreign port; nor to that of a vessel proceeding in order to obtain additional cargo for a foreign port; other provisions are appropriate to such cases.

Notwithstanding the sanction above stated, a foreign vessel with merchandise taken in one district to be unladen in another, is liable to a tonnage duty of fifty cents per ton (Rev. Stat., § 4,219); and to fifty cents per ton as "light money" (§ 4,225), unless the latter be saved by section 4,227; and the merchandise itself is subject to the penalty of forfeiture (§ 4,347; chapter xxxi, March 1, 1817, § 4). She is also liable to tonnage duty if she transport passengers coastwise. (Decision 1,735, December 8, 1873.)

Foreign Pleasure Yachts.

7. A pleasure yacht of any foreign nationality must make clearance when leaving one district for another, unless it belongs to a "regularly organized yacht club of a nation which extends like privileges to the yachts of the United States." (Rev. Stat., § 4,216.)

Evidence of Tonnage.

8. A foreign vessel, before obtaining clearance, must produce to the collector a memorandum from the surveyor, showing his estimate of her tonnage. The memorandum is attached to that manifest which is retained on file.

Adjustment of Inward Foreign Voyage.

9. If the vessel, whether of the United States or of some foreign

nation, arrived from some foreign port, all questions relating to her inward voyage must be disposed of before she is allowed to have clearance.

CHAPTER II.

CLEARANCE COASTWISE, WHEN UNNECESSARY.

Licensed Vessels under 20 Tons.

10. The master of a vessel of less than twenty tons burden, licensed for carrying on the coasting trade, is not required to deliver a manifest, nor to obtain a permit, when bound from a district in one State to a district in the same or in an adjoining State, on the sea-coast, or on a navigable river, when the vessel has on board merchandise of the growth, product, or manufacture of the United States only, except distilled spirits; or (1) of distilled spirits not more than five hundred gallons; or (2) wine in casks not more than two hundred and fifty gallons, or in bottles not more than one hundred dozens; or (3) sugar in casks or boxes not more than three thousand pounds; or (4) foreign merchandise in packages, as imported, of not more value than four hundred dollars; or (5) merchandise consisting of such enumerated or other articles of foreign growth or manufacture, or of both, whose aggregate value is not more than eight hundred dollars; but the master must have on board, and exhibit to any officer of the revenue, on demand, a manifest, subscribed by himself, of the lading of what kind soever which was on board the vessel at the time of her departure from the district from which she last sailed, with the marks and numbers of each cask, bag, box, chest, or other package containing distilled spirits, or merchandise of foreign growth or manufacture, with the name of the shipper and consignee of each. (Rev. Stat., § 4,359.)

Coasting vessels between Long Island, in the State of New York, and the State of Rhode Island, are entitled to the same privileges as vessels bound from a district in one State to a district in the same or in an adjoining State. (Rev. Stat., § 4,357.)

Licensed Vessels of 20 Tons, or upward.

11. The master of a vessel of the burden of twenty tons or upward, licensed for the coasting trade, bound from a district within one of the great districts to a district within the same great district,

or within a State adjoining such great district, having cargo as specified in paragraph 10, is entitled to the exemption and subject to the conditions therein specified. (Rev. Stat., § 4,359.)

If the Revised Statutes had exactly reproduced the original enactment, the clause above, reading "within a State adjoining such great district," would have read, "from a State in one great district to an adjoining State in another great district." (Chapter xlviii, March 2, 1819, § 3.)

Registered Vessels of the United States.

12. A vessel under United States register may proceed from a district in one State to another district in the same State, or in another State adjoining on the sea-coast, with ballast, or with such lading as is specified in paragraph 10, without making clearance; unless she has an indorsement, upon her register, of a rebate of duties on material used in her construction or repair. (See paragraph 5.)

Fishing Vessels.

13. A vessel having a fishing license is not obliged to make clearance; but, if it is desired to have her touch and trade at any foreign port, the master or owner must obtain permit for that purpose, under section 4,364 of the Revised Statutes.

It seems that vessels employed in the whale fishery, under register, must make clearance; and that they have the privileges of registered vessels, and the exemptions of vessels licensed for the fisheries. (Rev. Stat., § 4,339.) They are bound by the provisions of law relating to crew lists and shipping articles (§§ 4,573-4,576).

Pleasure Yachts of the United States.

14. A vessel having a license as a yacht, to be used and employed exclusively as a pleasure vessel, is entitled by law, and by the terms of the license, to proceed from port to port of the United States without clearing at a custom-house, but she must not transport merchandise, nor carry passengers for pay. (Rev. Stat., § 4,214.)

Pleasure Yachts of Foreign Clubs.

15. A pleasure yacht belonging to a regularly organized yacht club of any foreign nation which extends like privileges to the yachts of the United States has the privilege of leaving any port of the United States without clearing at a custom-house. (Rev. Stat., § 4,216.)

CHAPTER III.

CLEARANCE ON THE NORTHERLY INLAND FRONTIER.

Licensed Vessels from One District to Another.

16. The master of any vessel licensed to engage in the domestic and foreign trade otherwise than by sea, on the northern, northeastern, and northwestern frontiers, except canal-boats employed in navigating the canals within the United States, must, before the departure of his vessel from a port in one district to a port in another district, present to the collector a manifest, in duplicate, subscribed by himself, of the cargo of his vessel, or of the fact that he has no cargo, and must verify the same by his oath before the collector, who must file one manifest in his office, and deliver the other to the master, with a certificate of clearance indorsed thereon. (Rev. Stat., § 3,116.)

This he must do, even if there be no custom-house at his place of destination, in which case he must present his certified manifest to the officer of customs, at his first port of arrival after leaving such port of destination. (Rev. Stat., § 3,118.)

Touching at an Intermediate Domestic Port.

17. If the vessel shall touch at an intermediate port of the United States, and there take additional cargo, the master need not, at such intermediate port, report the same, but he must make entry thereof on his original manifest, and, within twenty-four hours after arrival at the port of final unlading, he must present such manifests, and subscribe and make oath to the same before the customs officer. (Rev. Stat., § 3,117.) But cargo for a foreign port must be reported and cleared as in other cases (§ 3,119).

Touching at an Intermediate Foreign Port.

18. A licensed vessel, departing from a port in one district for a port in another district, intending to touch at an intermediate foreign port, must be cleared for such foreign port, but is not liable to clearance fees as if to foreign ports. (Rev. Stat., § 2,793.)

Steam-tugs, Towing Rafts, etc.

19. A steam-tug, licensed to engage in the frontier trade, employed in towing rafts or other vessels without sail or steam

motive power, and not required to be licensed, must make clearance.

But, when employed in towing vessels of other descriptions, the steam-tug need not clear. (Rev. Stat., § 3,123.)

The penalty on the master for neglect is twenty dollars (§ 3,125).

Ferry-boats.

20. Vessels used exclusively as ferry-boats, carrying passengers, baggage, and merchandise, need not have manifests presented, nor clearance fees paid. (Rev. Stat., § 2,792.)

Registered Vessels Touching at a Foreign Port.

21. A vessel under United States register may touch at intermediate foreign ports, for merchandise, passengers and their baggage, for letters and mails; but she must have from the customs officer at the port of departure in the United States a certified manifest, setting forth the particulars of the cargo, the marks, number of packages, by whom shipped, to whom consigned, and at what port to be delivered, designating such merchandise as is entitled to drawback, or to the privilege of being placed in warehouse. (Rev. Stat., § 3,126.)

By reference to the original act, it will be seen that this privilege was not limited to vessels on the northerly inland frontiers. (Chapter xlviii, May 27, 1848.)

Foreign Tug-boats Towing between United States Ports.

22. Any steam tug-boat, not of the United States, found employed in towing documented vessels of the United States, plying from one port or place in the same to another, is liable to a penalty of fifty cents per ton of the tonnage of the vessel towed, unless the towing is in whole or in part on foreign waters. (Rev. Stat., § 4,370.)

Foreign Railway Ferry- or Tug-boat.

23. Any foreign railroad company whose road enters the United States, by means of a ferry- or tug-boat, may own such boat, and it is subject to no other nor different restrictions nor regulations in such employment than it would be if owned by a citizen of the United States. (Rev. Stat., § 4,370.)

CHAPTER IV.

CLEARANCE, ON FOREIGN VOYAGE BY SEA.

Shippers' Manifests.

24. Before a clearance can be granted for any vessel bound to a foreign port, the owners, shippers, or consignors of the cargo of such vessel, must deliver to the collector manifests of the cargo shipped by them respectively, specifying the kinds and quantities of the articles shipped respectively, and the value of the total quantity of each kind of articles, and the foreign port in which it is truly intended to be landed, and must verify the shippers' manifests, respectively, by oath, subscribed, that it contains a full, just, and true account of all articles laden on board such vessel, by the owner, shipper, or consignor, respectively, and that the values of such articles are truly stated, according to their actual cost, or the values which they truly bear at the port and time of exportation. (Rev. Stat., § 337, fifth paragraph, § 4,200.)

Masters' Manifests.

25. The master, or other person, having the command of any vessel bound to a foreign port, must deliver to the collector of the district from which such vessel is about to depart, a manifest, subscribed by himself, of all the cargo on board the vessel, and the value thereof, and shall swear that the same contains, according to the best of his knowledge and belief, a full, just, and true account of all the goods, wares, and merchandise actually laden on board the vessel, and of the value thereof; that, if any other goods, wares, or merchandise shall be laden on board the vessel previous to her sailing from the port, he will immediately report the same to the collector; that he verily believes that the duties on all the foreign merchandise therein specified have been paid or secured, according to law, and that no part thereof is intended to be relanded within the United States; and that if, by distress or other unavoidable accident, it shall become necessary to reland the same, he will forthwith make a just and true report thereof to the collector of the customs of the district wherein such distress or accident may happen; and must state the foreign port in which such cargo is truly intended to be landed. For failure thereof, the master is liable to a penalty of five hundred dollars. (Rev. Stat., §§ 4,197, 4,198, 4,200.)

The master must further swear that he has not received on

board, has not under his care or control, and will not receive or convey, any letter or packet originating in the United States which has not been regularly received from the post-office at the port of departure, and which does not relate to the cargo of the vessel, except such as are inclosed in a duly directed and properly sealed envelope, stamped with postage-stamps sufficient to cover the postage that would be chargeable thereon if the same were sent by mail, and with the date of the letter, or of the receipt or transmission thereof, written or stamped upon the envelope. (Rev. Stat., §§ 3,987, 3,993.)

Evidence of Tonnage of Foreign Vessels.

26. If the vessel be under a foreign flag, the master must produce, from the surveyor to the collector, a certificate of the tonnage, and the same is attached to the master's manifest, and goes upon file with it.

State and Municipal Charges.

27. The legal fees which have accrued on a vessel must be paid at the offices where such fees are respectively payable, and receipts therefor must be produced to the collector, before he can grant a clearance for a vessel to a foreign port. (Rev. Stat., § 4,206.)

These fees are usually paid at the time of the entrance of the vessel, and to the collector as the agent for the other officials.

Adjustment of Inward Foreign Voyage.

28. If the vessel came last from a foreign port, all questions relating to her inward voyage, such as fees, tonnage duty, charges, and discrepancies between the manifest and the return, must be adjusted before the vessel is permitted to make clearance. (Rev. Stat., § 2,889.)

Effects of Deceased Seamen, United States Vessels.

29. No officer of customs can lawfully clear any "foreign-going" vessel of the United States, if any seaman or apprentice died on the homeward voyage, without the production of a certificate from the United States Shipping Commissioner that the master has delivered to such commissioner the effects remaining unsold, and paid to him the money received on sale of effects, and balance of wages, of such deceased seaman or apprentice. (Rev. Stat., § 4,539.)

United States Vessels must Receive Department Mails.

30. The master of any vessel of the United States, bound from a port therein to any foreign port, must receive on board before clearance, and securely convey, all such mails as the Post-Office Department shall offer; and must promptly deliver the same, on arriving at the port of destination, to the proper officer, for which he shall receive two cents for each letter so delivered. (Rev. Stat., §§ 3,976, 4,203.)

United States Vessels must Receive Bullion, Notes, Bonds, etc.

31. The master of any vessel of the United States, bound from any port therein to any foreign port, must, before clearance, receive on board all such bullion, coin, United States notes and bonds, and other securities, as the Government of the United States, or any department thereof, shall offer, and must securely convey and promptly deliver the same to the proper authorities or consignees, on arriving at the port of destination, for such reasonable compensation as may be allowed to other carriers in the ordinary transactions of business. (Rev. Stat., § 4,204.)

Certificate under State Inspection Laws.

32. No vessel having on board merchandise liable to inspection under the laws of any State can be lawfully cleared by any officer of customs acting in that State, until a certificate shall have been produced to him, if the law of that State require it, that such merchandise has been duly inspected. (Rev. Stat., § 4,202.)

Shipping Articles of United States Vessels.

33. In order to have for convenient reference at the port of shipment, and at foreign ports, evidence of the contract between the master and the mariners, it is required of the master of any vessel of the United States, bound on any foreign voyage, to produce to the collector and lodge with him the shipping articles signed by the seamen, and to obtain from him a certified copy thereof, written in a uniform hand, without erasures or interlineations. (Rev. Stat., § 4,575, second paragraph.)

34. The master of every vessel of the United States bound to any foreign port, or from a port on the Atlantic to a port on the Pacific, or the converse, must have the shipping articles executed before a United States shipping commissioner, if there be one at the port of departure; except vessels engaged in trade between the

United States and the British North American possessions, or the West India Islands, or the republic of Mexico, or between Atlantic and Pacific ports, if of less than seventy-five tons burden. (Rev. Stat., §§ 4,511, 4,512, chapter cclx, June 9, 1874.)

Crew Lists.

35. In order to protect mariners from being left abroad unlawfully, the master of every vessel of the United States, bound on a foreign voyage or engaged in the whale fishery, must deliver to the collector a list containing the names, places of birth and residence, and the description of the persons who compose the ship's company, verified by the oath of the master, that the list contains the names of his crew, together with the places of their birth and residence, so far as he can ascertain them. (Rev. Stat., § 4,573.) This is commonly known as the *List of Persons*, to distinguish it from the certified copy, which is known as the *Crew List*.

36. The collector who clears the vessel must examine the list of persons for approval; and no person may be admitted or employed on board the vessel unless his name shall have been entered in the list of persons approved by the collector. The collector must record the list in a book kept for that purpose, which must be open for the inspection of all persons; and a certified copy thereof must be admitted in evidence in any court in which any question may arise under Title liii, relative to Merchant Seamen. After approval of the list of persons, the collector must deliver to the master a certified copy thereof. (Rev. Stat., §§ 4,574, 4,573.) This certified copy must be a fair copy, without erasure or interlineation, and in one uniform handwriting (§ 4,575). It is verified by the oath of the master before the collector, and is known as the *Crew List*.

Crew Bonds.

37. The master must enter into bond, with sufficient surety, in the sum of four hundred dollars, to exhibit the crew list to the first boarding officer, at the first port of arrival after his return to the United States, and the boarding officer must examine the men with the list, and make report to the collector. If the port of arrival be different from the port at which the crew list was issued, the collector of the port first named must notify the other of the report of the boarding officer. Certificate under the hand and seal of the United States Consul, Vice-Consul, or Commercial Agent, of discharge with his official consent, is sufficient to account for mariners discharged; and as to such as died, absconded, or were

impressed into other service, "satisfactory proof" must be exhibited to the collector. (Rev. Stat., § 4,576.) The oath of the master is taken as presumptive proof.

Clearance for a Foreign Port.

38. The collector must thereupon grant a clearance for the vessel and her cargo, but need not specify the particulars of her cargo unless required so to do by the master. The penalty for a failure to obtain the clearance is five hundred dollars. (Rev. Stat., §§ 4,197, 4,201.) If there be a naval officer at the port he must countersign the clearance (§ 2,626). The clearance has in print upon the back thereof a schedule of consular fees (§ 4,207).

Permit to Proceed for Additional Cargo.

39. If the vessel desire to take additional cargo at some other domestic port, she may either have a clearance for the foreign port *via* the domestic one, or she may have a permit to proceed to the domestic port to finish lading, such permit being different from the ordinary permit to proceed to a domestic port in the domestic trade. (Decision 3,815, December 10, 1878.) In either case the master should have a certified copy of his manifest from the first domestic port to exhibit at the second.

Bills of Health.

40. A bill of health is issued, on demand, if the port of departure be in a normal condition of healthfulness.

Delivery of United States Registers.

41. The master of a vessel of the United States is then entitled to have delivered to him his "certificate of registry," popularly called *register*; and may proceed to sea. (Rev. Stat., § 2,790.) He should, however, observe whatever formalities are required of him by the laws of the country to which his vessel is bound.

Registers of Foreign Vessels.

42. If the vessel be under a foreign flag, and her register be on deposit with the consul of the nation to which she belongs, the clearance must be produced to the consul before he can lawfully re-deliver to the master his register and other papers. (Rev. Stat., § 4,211.)

Amendment to the Master's Manifest.

43. The master may amend his manifest, under his oath, at any time before the vessel shall have finally left the port; and he is by

law bound to do so, if he discovers that it is erroneous. (Rev. Stat., § 4,198.) After that time the manifest is unchangeable. (Treasury letters, May 28, 1869; January 14, 1871—as Decision 781; June 20, 1877; June 8, 1878.

Supplementary Manifests.

44. For statistical purposes, a supplementary manifest of the outward cargo of *steamers*, verified by the oath of the owner or agent of the vessel within four days, is accepted. Sunday is excluded in counting the four days.

Pleasure Yachts.

45. A vessel having a United States yacht license may leave for a foreign port without clearance, but she must not transport merchandise or carry passengers for pay. (Rev. Stat., § 4,214.) But a pleasure yacht under a foreign flag must make clearance when going abroad, except that she may leave without clearing, if she belong to a regularly organized yacht club of a foreign nation which extends like privileges to the yachts of the United States (§ 4,216).

Registered Vessels in the Whale Fishery.

46. It seems that vessels in the whale fishery, under register, must make clearance. (Rev. Stat., §§ 4,339, 4,345.) They must also have authenticated shipping articles and crew lists (§§ 4,573–4,576). See paragraphs 33–35.

Vessels Remaining, or Putting Back.

47. A vessel which returns to port in distress, after clearing for a foreign port, must reënter, if her stay be protracted unreasonably, or in any case if she desire to obtain permits. She may have on board reexported or drawback merchandise, and should come under customs' control. She is charged for the permits, but not with the fees of collector and surveyor on entrance. Perhaps she should pay the latter also. So if her voyage be abandoned or be postponed unreasonably, or if she needs permits, she should reënter, even if she have not started on her voyage. A permit is issued to the surveyor directing that a part or the whole of the cargo may be unladen under the supervision of an inspector, to remain under his control, and to be reladen on the same vessel under his supervision. In case it be desired to exempt any portion of the unladen cargo from relading, the inspector must have further instruction. A report of his action by the inspector, indorsed upon the back of the permit, stands in place of a formal return. (Rev. Stat., § 4,198.)

BOOK II.

ENTRANCE OF VESSELS.

CHAPTER V.

ENTRANCE COASTWISE, WHEN NECESSARY.

Licensed Vessels under 20 Tons, from a Near Port.

48. The master of every vessel of less than twenty tons burden, licensed for carrying on the coasting trade, when obliged, as stated in paragraph 1, to make clearance from his port of departure, must, on arrival at his destination, previous to the unlading of any part of the cargo of such vessel, make entrance of such vessel—i. e., he must deliver to the collector, if there be one, or if not, to the surveyor residing at the port of her arrival, or, if there be no collector or surveyor residing at such port, then to a collector or surveyor, if there be any such officer residing within five miles thereof, the manifest of the cargo, certified by the collector or surveyor of the district from whence she sailed, if there be such certified manifest, otherwise the manifest uncertified, and shall verify the same by his oath before such officer, and shall also declare under such oath whether any other or more merchandise has been taken on board not contained in such manifest since her departure from the port whence she first sailed, or whether any merchandise has been since landed, particularizing the same, or, if no merchandise has been so laden or unladen, declaring the fact. Thereupon the collector or surveyor shall grant a permit for unlading the whole or a part of such cargo, as the master may request. If there be no collector or surveyor residing at or within five miles of the port of her arrival, the master of such vessel may proceed to unlade the same, but must deliver to the collector or surveyor residing at the first port where

he may next afterward arrive, and within twenty-four hours of his arrival, the manifest, noting thereon the times when and places where the merchandise therein mentioned has been unladen, and must verify the same by his oath before the said officer. (Rev. Stat., § 4,351.) A master who fails to comply with the requirements stated is liable to a penalty of one hundred dollars (§ 4,352).

Licensed Vessels of 20 Tons or more, from a Near Port.

49. The master of every vessel of the burden of twenty tons or upward, licensed for carrying on the coasting trade, when obliged, as stated in paragraph 2, to make clearance from his port of departure, must, on arrival at his destination, comply with the requirements stated in paragraph 48, under like penalty. (Rev. Stat., §§ 4,351, 4,352.)

Licensed Vessels under 20 Tons, from a Remote Port.

50. The master of every vessel of less than twenty tons burden, licensed for carrying on the coasting trade, when obliged, as stated in paragraph 3, to make clearance from her port of departure, must, on arrival at his destination, previous to the unlading of any part of the cargo of such vessel, make entrance of such vessel—i. e., he must deliver to the collector residing at the port of her arrival, if there be one, otherwise to the collector or surveyor in the district comprehending such port, as the one or the other may reside nearest thereto, if the collector or surveyor reside at a distance not exceeding five miles, within twenty-four hours, or, if at a greater distance, within forty-eight hours next after his arrival, the manifest of the cargo, if there be any cargo, certified by the collector or surveyor of the district from whence she last sailed; and must make oath, before the collector or surveyor, that there was not when he sailed from the district where his manifest was certified, and has not since been, and is not then, any more or other merchandise of foreign growth or manufacture, or distilled spirits, if there be any other than sea stores on board such vessel, than is therein mentioned; and, if there be none such, he must so swear; and, if there be no cargo on board, he must produce a manifest declaring that fact, certified by the collector or surveyor of the district from whence she last sailed. Thereupon such collector or surveyor must grant a permit for unlading the whole or part of such cargo, if any there be, within his district, as the master may request; and, where a part only of the merchandise of foreign growth or manufacture, or of

distilled spirits, brought in such vessel, is intended to be landed, the collector or surveyor must make an indorsement of such part on the back of the manifest, specifying the articles to be landed; and shall return such manifest to the master, indorsing also thereon his permission for such vessel to proceed to her further destination. (Rev. Stat., § 4,355.)

The penalty for failure is one hundred dollars on the master, and the forfeiture of merchandise of foreign growth or manufacture and of distilled spirits, not certified as required, found on board or landed from such vessel; and the forfeiture of the vessel, also, if such merchandise shall amount to the value of eight hundred dollars (§ 4,356).

Licensed Vessels of 20 Tons or more, from a Remote Port.

51. The master of every vessel of the burden of twenty tons or upward, licensed for carrying on the coasting trade, when obliged, as stated in paragraph 4, to make clearance from his port of departure, must, on his arrival at his destination, comply with the requirements stated in paragraph 50, under like penalty. (Rev. Stat., §§ 4,355, 4,356.)

Registered Vessels of the United States.

52. The master of any registered vessel of the United States must make entrance of his vessel, on his arrival in any district from any other district, unless it be another district in the same State, or in a State adjoining on the sea-coast; and even then, if she have distilled spirits or foreign merchandise, so that she would have been obliged to make entrance, if the vessel had been under license; or if the certificate of registry bear an indorsement of rebate of duty upon material used in construction or repair of the vessel. (Rev. Stat., § 4,361; Treasury Decisions, 4,064, 4,294, 4,468.) See paragraph 5.

Upon making such entrance she must pay United States Marine Hospital tax. (Rev. Stat., § 4,585.)

Registered Vessels via Intermediate Foreign Port.

53. Any vessel, registered under the laws of the United States, may trade from port to port thereof, and touch at intermediate foreign ports to unlade or lade merchandise, letters, mails, passengers and their baggage. On her arrival at the domestic port, a certified manifest must be produced from the domestic port of depart-

ure setting forth the particulars of the cargo, the marks, number of packages, by whom shipped, to whom consigned, at what port to be delivered; designating such merchandise as is entitled to drawback or to the privilege of being placed in warehouse. Such vessels are subject also to all the laws relating to vessels arriving from foreign ports. (Rev. Stat., § 3,126.) It seems that two entrances should be made, namely, coastwise *and* foreign. See paragraph 21.

Vessel at a Port not of Destination.

54. The master of any vessel employed in the transportation of merchandise from district to district that puts into a port other than the one to which she is bound, must, within twenty-four hours of his arrival, if there be an officer of the customs residing at such port, and she continue there so long, make report to such officer of his arrival, with the name of the place he came from, and of that to which he is bound, with an account of his lading, under a penalty of twenty dollars. (Rev. Stat., § 4,366.) It seems that he must make entrance if he desire any permit.

Bond for Lost Certified Manifest.

55. The 23d section of chapter viii, February 18, 1793, required that a bond should be taken, if the master of a vessel, on his arrival at a port with foreign merchandise or distilled spirits, should have lost or mislaid his certified manifest and permit to proceed; but this requirement seems to have been omitted from the Revised Statutes.

Foreign Merchant Vessels.

56. The master of any foreign vessel, on his arrival within any district from any other district, previous to the unloading of any merchandise, and within forty-eight hours after his arrival, must deliver to the collector of the district within which he has arrived the manifest of the merchandise laden on such vessel, if any there be, or of his declaration that there is ballast only, if that be the case, and must also deliver the permit to proceed obtained from the collector at the port whence he sailed, and must swear to the truth of such manifest; must also swear that the manifest contains an account of all the merchandise which was on board such vessel at the time of her departure from the port whence she is last reported to have sailed, and of what has been on board since. (Rev. Stat., § 4,368.) The penalty upon the master for failure is one hundred dollars (§ 4,369).

But section 4,347 forfeits merchandise thus transported to be unladen in a district of the United States; section 4,219 imposes a tonnage duty of fifty cents per ton of the vessel, and section 4,225 a light money duty of fifty cents per ton.

This provision does not regulate the entrance of vessels arriving with inward foreign cargo, which case is otherwise provided for. It may be found convenient authority for the case of a vessel arriving to complete her lading for an outward voyage. (See paragraph 6.)

Foreign Pleasure Yachts.

57. A pleasure yacht of any foreign nationality must make entrance on arrival in any district from any other district, unless she belongs to a regularly organized yacht club of a nation which extends like privileges to the yachts of the United States. (Rev. Stat., § 4,216.)

CHAPTER VI.

ENTRANCE COASTWISE, WHEN UNNECESSARY.

Licensed Vessels under 20 Tons.

58. The master of any vessel of less than twenty tons burden, licensed for carrying on the coasting trade, when free from the obligation to make clearance from her district of departure, as stated in paragraph 10, on her arrival within the other district, need not make report thereof, but he must have a manifest, subscribed by him, of the lading, of what kind soever, which was on board such vessel at the time of his departure from the district from which she last sailed, and if the same, or any part of such lading, consists of distilled spirits, or merchandise of foreign growth or manufacture, with the marks and numbers of each cask, bag, box, chest, or other package, containing the same, with the name of the shipper and consignee of each, such manifest must be exhibited by him, for the inspection of any officer of the revenue, when required by such officer; and he must also inform such officer from whence such vessel last sailed, and how long she has been in port, when by him so interrogated. (Rev. Stat., § 4,359.)

If the master of such vessel is not provided with such manifest, or does not exhibit the same, he is liable to a penalty of twenty dollars, if the lading consist wholly of domestic merchandise, distilled spirits excepted; or to a penalty of forty dollars if there be distilled

spirits, or foreign merchandise, except what may be only sufficient for sea stores; or to a penalty of one hundred dollars if he refuse to answer the interrogatories truly. Foreign merchandise, or distilled spirits, not manifested, are subject to forfeiture. (Rev. Stat., § 4,360.)

Licensed Vessels of 20 Tons or More.

59. The master of any vessel of the burden of twenty tons or upward, licensed for the coasting trade, when exempted from clearance, as stated in paragraph 11, is also exempted from making entrance, but is subject to the conditions stated in paragraph 58.

Registered Vessels of the United States.

60. A vessel under United States register, arriving in a district of the United States, from a district in the same State, or from a State adjoining on the sea-coast, in ballast, or with domestic cargo only, or with no more foreign merchandise than she could carry under license without making entrance, need not be entered unless her register bear an indorsement of a rebate of duty on material used in her construction or repair. (See paragraph 5.)

Rhode Island is considered adjoining the State of New York, so far as voyages between Rhode Island and Long Island are concerned. (Rev. Stat., § 4,357.)

Pleasure Yachts of the United States.

61. A vessel of the United States which has a license as a pleasure yacht need not make entrance, on arrival in any district of the United States, if from some other port in the same district, or from some other district of the United States. (Rev. Stat., § 4,214.)

Foreign Pleasure Yachts.

62. A yacht, belonging to a regularly organized yacht club of any foreign nation which extends like privileges to the yachts of the United States, has the privilege of entering any port of the United States from any other port of the United States without making entrance or paying tonnage duty. (Rev. Stat., § 4,216, as qualified by § 4,218.)

Fishing Vessels under License.

63. A fishing vessel, ordinarily, is not obliged to make entrance; but if she have a permit to touch and trade at any foreign port, under section 4,364, she must make entrance as from a foreign port. (See paragraph 149.)

CHAPTER VII.

ENTRANCE ON NORTHERLY INLAND FRONTIER.

Vessels under Frontier License, from Another District.

64. The master of any vessel licensed for the foreign and domestic trade, on the northern, northeastern, and northwestern inland frontiers, arriving at his port of destination in one district from another district, must, within twenty-four hours after arrival, deliver to the customs officer at his port of arrival the manifest, indorsed with certificate of clearance from the port of departure, and must make oath to the truth and correctness of the same. If the vessel has touched at any intermediate port of the United States, and there unladen or laden any cargo, the master must make an entry of such unloading or lading, on his manifest obtained at his original port of departure, and his oath must cover the correctness of such entry. (Rev. Stat., §§ 3,116, 3,117.) No permit is necessary for the unloading of cargo brought from a port of the United States (§ 3,119). If there is no custom-house at the port for which the vessel was originally cleared, the master must deliver the manifest with the certificate of clearance to the proper customs officer at the port at which the vessel next arrives, after leaving the place of destination specified in such clearance (§ 3,118).

From a Port where there is no Custom-House.

65. The master of any vessel licensed for the inland frontier trade, arriving at his port of destination, with a cargo from a place in the United States at which there is no custom-house, must, within twenty-four hours after arrival, deliver to the proper officer of customs a manifest subscribed by him, setting forth the cargo laden at the place of departure, or laden or unladen at any intermediate place, and must verify the same by his oath before such officer. If the vessel have no cargo, the master need not deliver a manifest. (Rev. Stat., § 3,122.)

Unloading, in Open Day or Otherwise.

66. No merchandise arriving in any vessel, in any port of one district from any port in any other district on such frontiers, can be unladen or delivered, except between the rising and the setting of the sun, without special license from the principal officer of the

port, under a penalty upon the owner of the vessel of not less than one hundred dollars nor more than five hundred. (Rev. Stat., § 3,120.)

Vessels under Frontier License, touching Foreign.

67. Vessels licensed for the frontier trade, arriving at a port in one district from a port in another district, having touched at an intermediate foreign port, must make entrance as from a foreign port, but entrance fees and tonnage duty need not be paid. (Rev. Stat., § 2,793.)

Registered Vessels of the United States.

68. The master of any registered vessel of the United States, on his arrival at any port of the United States, from any foreign port at which such vessel may have touched, must conform to the laws providing for the delivery of manifests of cargo and passengers taken on board at such foreign port, and all other laws regulating the report and entry of vessels from foreign ports, and be subject to all the penalties therein prescribed. (Rev. Stat., § 3,126.)

Foreign Vessels from Foreign Territory.

69. The master of any foreign vessel, having cargo or ballast only, arriving in the waters of the United States from any foreign territory on the northern, northeastern, or northwestern inland frontiers of the United States, must report at the office of any collector or deputy collector of customs nearest to the point at which such vessel enters such waters, and must not proceed farther inland, to unlade or to lade, without a special permit from such officer, issued under and in accordance with general or special regulations, from time to time prescribed by the Secretary of the Treasury, under penalty of a forfeiture of the vessel. (Rev. Stat., § 3,109.)

70. Under the authority of law above stated, the Secretary of the Treasury has prescribed that the master shall present the clearance and manifest to such first officer of customs, and obtain his indorsement upon one of such papers, of a special permit to proceed farther inland. (Gen. Reg. of 1874, Art. 233.)

Vessels under Frontier License, from Foreign Place.

71. The master of any vessel having a frontier license, and any person having charge of a boat, canoe, or raft, coming from any foreign territory adjacent to the United States into the United States, with merchandise subject to duty, must deliver, immediately

on his arrival within the United States, a manifest of the cargo of such vessel, boat, canoe, or raft, at the office of any collector or deputy collector which is nearest to the boundary line, or nearest to the waters by which such merchandise is brought; and must verify such manifest by his oath, before such collector or deputy collector, stating in such oath that such manifest contains a full, just, and true account of the kinds, quantities, and values of all the merchandise so brought from such foreign territory. (Rev. Stat., § 3,098.)

If the master, or person in charge, neglect or refuse to deliver the manifest, or pass by or avoid such office, the merchandise subject to duty is forfeited to the United States, together with the vessel, boat, canoe, or raft; and the master or other person in charge is subject to a penalty of four times the value of such merchandise (§ 3,099).

The vessel or other vehicle must be unladen in the presence of, and be inspected by, an inspector or other officer of the customs, at the first port of entry or custom-house in the United States where the same shall arrive, unless such vessel or other vehicle shall be sealed and allowed to proceed, as stated in paragraph 79 (§ 3,100).

Permit for Cargo, Passengers, or Baggage.

72. The master of any vessel from any foreign port, with cargo, passengers, or baggage, must obtain a permit, and comply with the law otherwise before landing the same. (Rev. Stat., § 3,121.)

Unloading Foreign Cargo in Open Day.

73. No merchandise brought in any vessel from any foreign port can be lawfully unladen or delivered from such vessel within the United States but in open day—that is, between sunrise and sunset—except by special license from the chief officer of the customs at the port for that purpose. (Rev. Stat., § 2,872.)

Sea Stores from British Provinces on Licensed Vessels.

74. If any vessel under frontier license touches at any port in the adjacent British provinces, and the master obtains any merchandise for the use of the vessel, he must report the same, with cost and quantity thereof, to the officer of the customs at the first port of the United States at which he next arrives, designating them as sea stores, and, in the oath to be taken by the master, he must declare that the articles so specified and designated sea stores are truly intended exclusively for the use of the vessel, and are not intended for sale, transfer, or private use. If any other or greater

quantity of dutiable articles is found than is so specified, or if any part is landed without a permit, the articles, together with the vessel, are subject to forfeiture. (Rev. Stat., § 3,111.)

75. If such articles, upon examination and inspection by the officer of customs, are deemed not excessive in quantity for the use of the vessel until she may reach a port of the United States where such sea stores could be obtained, such articles must be declared free of duty; but if it shall be found that they are excessive, the officer of customs must estimate the duty on the excess, and the master must pay such duty forthwith, under penalty of not less than one hundred dollars nor more than four times the value of such excess, or of imprisonment for not less than three months nor more than two years. (Rev. Stat., § 3,112.)

Saloon Stores from British Provinces on Licensed Vessels.

76. Articles purchased for the use of or for sale on board any vessel under frontier license are deemed merchandise, and are liable, when purchased at a foreign port, to entry and the payment of the duties found to be due thereon, at the first port of arrival of such vessel in the United States; and for a failure on the part of the saloon keeper or person purchasing or owning such articles to report, make entries, and pay duties, such articles, together with the fixtures and other merchandise, found in such saloon, or on or about such vessel, belonging to and owned by such saloon keeper or other person interested in such saloon, are seized and forfeited, and such saloon keeper or other person so purchasing and owning is liable to a penalty of not less than one hundred dollars, and not more than five hundred, and is punishable by imprisonment for not less than three months, and not more than two years. (Rev. Stat., § 3,113.)

Equipments or Materials obtained Abroad.

77. The cost of equipments or of repairs made in a foreign country upon a vessel licensed for the frontier trade, or intended to be employed in such trade, is liable to a duty of fifty per centum on the first arrival of such vessel in any port of the United States; and the vessel is liable to forfeiture if her owner or master shall willfully and knowingly neglect to report, make entry, and pay such duties. (Rev. Stat., § 3,114.)

78. The Secretary of the Treasury is authorized to exempt from such duty or to refund the same, if furnished with good and sufficient evidence that the vessel, while in the regular course of her voyage, was compelled by stress of weather or casualty to put into

such foreign port and purchase such equipments, or make such repairs, to secure the safety of the vessel and to enable her to reach her port of destination. (Rev. Stat., § 3,115.)

Sealing Vessels before they Proceed.

79. To avoid the unlading and inspection at the first port of arrival, the master or other person in charge of the vessel, etc. (see paragraph 71), may apply to any duly authorized officer of the United States to seal or close the same under and according to the regulations of the Secretary of the Treasury; such officer must seal or close the same, and it may then proceed to the port of destination. But the vessel is not exempt from such examination as may be necessary and proper to prevent frauds upon the revenue, or other violations of law. The vessel, etc., must proceed without unnecessary delay to the port of its destination as named in its manifest, and there be unladen and have the cargo inspected. (Rev. Stat., § 3,102.)

80. The master or other person in charge, if he shall fail to proceed to such port of destination named in the manifest, and to deliver such vessel, etc., to the proper officer of customs, or shall unlade the cargo, or any part thereof, at any other than such port, or shall sell any part of such cargo, to be delivered otherwise than as per manifest, and, after due inspection, will be deemed guilty of felony, and liable to a penalty of one thousand dollars, and to imprisonment not to exceed five years; and the vessel, etc., with its contents, will be forfeited to the United States, and may be seized anywhere in the United States. (Rev. Stat., § 3,104.)

81. The Secretary of the Treasury is authorized to make, and from time to time change, regulations for sealing, etc., and in regard to manifests, etc., and their authentication. (Rev. Stat., § 3,103.)

82. Under the authority of law above cited, the Regulations of the Treasury require the cargo to be corded and sealed at the port of first arrival, or an inspector to be placed on board the vessel, who must accompany the vessel to her destination, and there superintend the unlading and inspect the cargo, if the place be within the same district, or deliver the vessel to the collector thereof, if the place of destination be in another district. (Gen. Reg. of 1874, Art. 234.)

Merchandise evasively transported on Foreign Vessel.

83. If any merchandise is, at any port of the United States, on the northern, northeastern, or northwestern frontiers thereof, laden upon any vessel belonging in whole or in part to a subject of a for-

eign power, and is taken thence to a foreign port to be reladen and re-shipped to any other port of the United States on such frontiers, either by the same or by any other vessel, foreign or of the United States, with intent to evade the provisions relating to the transportation of merchandise from one port of the United States to another port of the United States, in a vessel belonging wholly or in part to a subject of any foreign power, the merchandise must, on its arrival at such last-named port, be seized and forfeited to the United States, and the vessel must pay a tonnage duty of fifty cents per ton on her measurement. (Rev. Stat., § 3,110.)

Foreign Railway Ferry- or Tug-boats.

84. Any foreign railroad company whose road enters the United States by means of a ferry- or tug-boat may own such boat, and it is subject to no other nor different restrictions, nor regulations in such employment, than if owned by a citizen of the United States. (Rev. Stat., § 4,370.) See paragraph 23.

Ferry-boats Generally.

85. Vessels used exclusively as ferry-boats, carrying passengers, baggage, and merchandise, are not required to make entrance, nor to pay entrance fees, nor fees for receiving manifests, nor are the masters required to present manifests; but the masters must report such baggage and merchandise to the proper officer of customs. (Rev. Stat., § 2,792.)

CHAPTER VIII.

ENTRANCE FROM FOREIGN PORTS BY SEA.

Production of Manifests.

86. The master of any vessel from a foreign port, except Government vessels, bound to any port of the United States, must, on arrival within four leagues of the coast thereof, or within any of the bays, rivers, or inlets thereof, upon demand, produce a manifest in writing, in duplicate, to such officer of the customs as may first come on board his vessel, for inspection. Such officer must certify on the back of one of the manifests that it was produced to him as an original manifest, giving the date of such exhibition; and having examined therewith the other manifest, he must certify the latter

as a copy, giving the date, and must transmit the copy to the collector of the district indicated as the destination, and must redeliver the original manifest to the master. (Rev. Stat., § 2,811.)

87. Upon the arrival of the vessel within the collection district in which the cargo, or any part thereof, is intended to be unladen, the master must produce to the officer of the customs who first comes on board, for his inspection, the original manifest, certified as stated in the last paragraph, and must deliver to him a true copy signed by the master, and such boarding officer must indorse upon such manifests the fact of their production and delivery to him, stating the date, and must forthwith transmit the copy to the collector of the district, and must return the original manifest to the master, to be by him produced to the collector. (Rev. Stat., § 2,812.)

88. The master is liable to a penalty of five hundred dollars for a failure to comply with the requirements stated in the preceding paragraphs, or in the paragraph stating what the manifest must contain; and either of the boarding officers mentioned who shall fail to indorse the manifests, etc., is liable to an equal penalty. (Rev. Stat., § 2,814.)

89. It is therefore necessary, in order to comply with the law in case the vessel be boarded twice, to have the manifest in triplicate; but the exhibition of the original manifest, with the two indorsements thereon, is sufficient as to every other officer. (Rev. Stat., § 2,813.)

Manifests—in what Language.

90. The manifests may be in the language of the nation to which the vessel belongs. (Decision 58, March 17, 1868.) But, to facilitate the adjustment of the manifests with the return of the inspector, it is usual to demand translations into the English language, and they are furnished on behalf of the master.

What the Manifests must Contain.

91. Every manifest must contain the description and name of the vessel, and the name of the master, the names of the ports at which the cargo was laden, tonnage of the vessel, place where she was built, place where she is owned, and the names and places of residence of the owners, the name of the place of registry and the date of the register, and the name of the port for which the vessel is bound.

If the cargo is destined for different districts or ports, the merchandise for the several ports must be stated separately and suc-

cessively, and if spirits or wines constitute any part of the cargo, they must be successively stated, distinguishing kinds, qualities, and quantities.

A just and particular account must be given of all the merchandise laden on board, with the number and description of the packages, or a statement of the quantity, *in words* at length, giving a description of the packages, by their usual name, whether leaguer, pipe, butt, puncheon, hogshead, barrel, keg, case, bale, pack, truss, chest, box, handbox, bundle, parcel, cask, or other package of any kind or sort, together with the marks and numbers as marked on each package, the names of the shippers and of the consignees respectively, unless the consignment be to order, in which case it must be so stated, the place of the consignee's residence, and the port of destination.

Any articles of the outward cargo remaining on board must be detailed, giving the names of the shippers outward and of the consignees inward.

The manifest must give the names of the several passengers on board, distinguishing between cabin and steerage passengers, specifying the number and description of packages of baggage belonging to each respectively.

A detailed statement of the sea stores remaining must be given.

The manifest must have the master's signature. (Rev. Stat., §§ 2,806, 2,807, 2,808; chapter xxii, March 2, 1799, § 23; chapter cci, July 18, 1866, § 25.)

Merchandise owned by the master or men, personal effects, "curios," etc., should be separately stated, and not omitted, nor included in the store list.

Penalty for having Imperfect Manifest, or None.

92. If any merchandise be brought in the vessel, and there be no manifest on board, or if there be any merchandise omitted from the manifest, or misstated therein, the master is liable to a penalty equal to the value of the merchandise not manifested or wrongly manifested, and all merchandise belonging to, or consigned to, the master, mate, officers, or crew of such vessel unmanifested is forfeited. (Rev. Stat., § 2,809.)

But no penalty or forfeiture is exacted if the collector, naval officer, and surveyor, or the majority of them, are satisfied that no part of the cargo has been unladen, except as is particularly specified in the manifest verified by the master on entrance, and that the

manifests were lost or mislaid, without fraud or collusion, or were defaced by accident, or became incorrect by mistake (§ 2,810.)

Passenger Lists.

93. The master of any vessel arriving from any foreign place must, at the time when the vessel is first boarded, if the vessel have merchandise, or, at the time when the vessel makes entrance, if there be no merchandise, report to the collector a list of all the passengers taken on board of the vessel at any foreign place; in which list he must designate particularly the name, age, sex, occupation, the country to which belonging, and the country of intended inhabitancy, and the part of the vessel occupied, of the passengers respectively, and must specify which, if any of them, died upon the voyage.

The list must be verified, by the oath of the master, before the collector, at the time of the entrance of the vessel.

A failure of the master to comply with any part of the foregoing subjects the master to a penalty of five hundred dollars, or one thousand dollars. (Rev. Stat., §§ 4,266, 2,814, 2,774.)

The master must also produce whatever passenger list is required by State or municipal law. Such list, however, is usually produced after entrance of the vessel.

Production of Crew List, and of Persons named Therein.

94. The master of any merchant vessel of the United States, on the return of the vessel from a foreign port, or from the whale fishery, must exhibit the certified copy of the list of the crew, to the first boarding officer, at the first port in the United States at which he shall arrive, and produce to him the persons named therein, and the boarding officer must examine the men with the list, and make report to the collector.

Satisfactory proof must be subsequently exhibited to the collector, as to any person who died, absconded, or was forcibly impressed into other service. (The oath of the master is usually accepted.) A certificate under the hand and official seal of the consul, vice-consul, commercial agent, or vice-commercial agent, is sufficient to excuse the non-production of any man who was discharged with the consent of such officer. (Masters should be careful to secure such certificate upon the crew list, as well as upon the shipping articles, or in preference to the latter.)

If the port of arrival be different from the one which issued the crew list, the collector must transmit a copy of the list so reported

to him by the boarding officer (and of the supplementary accounting) to the collector who issued the crew list. (Rev. Stat., § 4,576.)

Report of Arrival by the Master.

95. Within twenty-four hours after the arrival of any vessel from any foreign port, at any port of the United States established by law, or within any harbor, inlet, or creek of such port, if there be an officer of the customs resident there, and the hours of business at the office of the chief officer of customs at the port permit, or as soon thereafter as such hours will permit, the master must repair to such office and report to the chief officer the arrival of the vessel. (Rev. Stat., § 2,774.)

It seems that this would be unnecessary if the boarding officer of the port has already visited the vessel and received report of the arrival.

Pleasure Yachts.

96. A pleasure yacht of the United States, or of any foreign nation, on her arrival from any foreign port, must be entered at the custom-house of the port at which she arrives first. (Rev. Stat., §§ 4,214, 4,216, 4,218.) This appears to involve the necessity of having manifests, making report, etc.

Quarantine.

97. Any vessel arriving in or bound for any port or district of any State, must observe the quarantines and other restraints established by its health laws, and customs officers must aid in the execution of them.

After report to the collector of the vessel and the whole of her cargo, he may grant a warrant or permit for the unlading of the vessel elsewhere than at the port of entry or delivery, as the health laws require or allow, under the care of the surveyor or of one or more inspectors.

The cargo must be deposited at the risk of the owners, in such public or other warehouses or inclosures as the collector designates, to remain in joint custody of the collector and of the owner or master until complete unlading, and until they can be removed without contravening the health laws. Thereupon, and after payment of duties, and a reasonable rate of storage, the collector may grant permits for the owners or consignees respectively to receive their merchandise.

The Secretary is authorized to prolong the term for the entrance

of the vessel, and to vary or dispense with other regulations as to reports or entries. (Rev. Stat., §§ 4,792, 4,793, 4,795, and 4,796.)

Change of Destination.

98. Within forty-eight hours after the arrival of the vessel within the district she may proceed to another district without making entrance or clearance. (Rev. Stat., § 2,780.)

The master should take with him the original certified manifest. (Decision 1,046, March 5, 1872.)

The statute does not declare that the master may *change* the destination of the vessel, and *alter* the specification in the manifest accordingly, within forty-eight hours. It declares what he must do, *unless* he shall depart within forty-eight hours; but does not say that such departure may be for any other destination than that specified in the manifest. But, as a matter of fact, the masters do change their destinations, and alter their certified manifests.

Permit to Coal before Entrance.

99. To facilitate dispatch of steamers, a permit is granted to those which ply statedly, forming a line, to lade coal, in anticipation of the entrance of the vessel. (Treasury letter, June 28, 1877.)

Entrance before Obtaining other Permits.

100. No other permit is granted until after the entrance of the vessel. This may rest upon the principle that the law, as to report and entrance, must be observed before any permit can be asked.

Further Report and Entrance.

101. Within forty-eight hours after the arrival of the vessel within the district, if she shall not have meanwhile departed for another district, the master must produce to the collector the register or other document in lieu thereof, with the clearance and other papers granted by the officers of the customs at her departure from the port from which she has arrived, together with the original manifest, also the duplicate thereof, if it be remaining in his possession, and must take the oath on entrance. (Rev. Stat., §§ 4,209, 2,774, 2,790.) Sunday is to be excluded in computing the forty-eight hours. (Decision 4,107, July 22, 1879.)

But fees and charges must first be paid. It is usual to have the passenger list verified at the same time with the manifest.

Special Report of Spirits and Wines.

102. The master of any vessel having on board distilled spirits or wines must, in addition to the report of arrival, and report and entrance, within forty-eight hours after his arrival, whether the same be at the first port of arrival of such vessel or not, report in writing, to the surveyor or officer acting as inspector of the revenue of the port at which he has arrived, his own name, the denomination, name and tonnage of the vessel, and to what nation belonging, together with the quantity and kinds of spirits and wines on board of the vessel, particularizing the number of casks, vessels, cases, or other packages containing the same, with their marks and numbers, as also the quantity and kind of spirits and wines on board such vessel as sea stores, under penalty of five hundred dollars, and forfeiture of spirits or wines omitted. (Rev. Stat., § 2,775.)

Deposit of Register, etc.

103. The register or document in lieu thereof of a vessel of the United States must remain with the collector until after the clearance of the vessel. (Rev. Stat., § 2,790.)

Of foreign vessels also it must so remain, except of vessels of nations which permit consuls of the United States to have the custody; in which latter cases, after the exhibition to the collector of the register, etc., the master must produce to the collector, within forty-eight hours after the entrance of the vessel, a certificate, from the consul or vice-consul, that the papers are on deposit with him. The penalty on the master of a foreign vessel who fails to comply with the requirements above stated is not less than five hundred dollars, nor more than two thousand. (Rev. Stat., §§ 4,209, 4,210.) In practice, however, the certificate of the consul is usually produced at the time of entrance.

Deposit of Crew List of United States Vessel.

104. The master of any vessel of the United States must produce his crew list, to be deposited with the collector. If the boarding officer's certificate does not show all the men to have returned, except those accounted for by the indorsements of consuls, the master must furnish supplementary evidence, which is usually his own oath. (See paragraphs 35 and 94.) It is usual and convenient to have this done before the entrance, but under the law as it stands it does not seem to be a prerequisite.

Payment of Federal Fees and Charges.

105. The fees and charges under United States laws must be collected before the acceptance of the oath of the master, for the latter is considered to be the entrance of the vessel. Among these are fees for services of the collector and the surveyor, in relation to the entrance and unloading of the vessel.

Tonnage Duty.

106. A duty of thirty cents per ton on the tonnage of the vessel must be paid once in a twelvemonth on any vessel upon her making entry from any foreign port. (Rev. Stat., §§ 4,219, 4,223.)

A vessel licensed for the fisheries, touching at a foreign port under a permit to touch and trade, if she shall have been actually employed in catching fish, is not subject on arrival in a port of the United States to tonnage duty. (Decision 3,467, February 2, 1878.) But such vessels are otherwise subject to the same regulations as other vessels from foreign ports (Rev. Stat., § 4,364), and must also pay tonnage duty, unless free on the ground above stated.

Mail steamships of the United States employed in the mail service between the United States and Brazil are exempted from all port charges and custom-house dues in the ports of the United States so long as similar immunity is granted in Brazil. (Rev. Stat., § 4,232.)

This duty is not exacted from pleasure yachts of the United States. And pleasure yachts, belonging to any regularly organized yacht club of any foreign nation, which extends like privileges to the yachts of the United States, have the privilege of entering any port of the United States without paying tonnage duty. (Rev. Stat., § 4,216.)

107. The duty is fifty cents per ton, instead of thirty, upon any vessel of the United States, any officer of which is not a citizen of the United States. (Rev. Stat., § 4,219.) The officers of a vessel are the master and mates, and, if the vessel be a steamer, the engineers and pilots in addition. (Decision 3,938, March 25, 1879.)

108. In addition to the charge stated in paragraph 106, a duty of thirty cents per ton on the tonnage of the vessel is chargeable upon *recorded* vessels owned wholly or in part by subjects of foreign powers who discriminate against vessels of the United States—i. e., upon vessels built in the United States and “recorded” as such, and owned as specified (§ 4,219).

109. In addition to the charge stated in paragraph 106, a duty

of fifty cents per ton on the tonnage of the vessel is chargeable upon vessels which are not documented as vessels of the United States, and yet are owned wholly by citizens of the United States (§ 4,219).

110. In addition to the charge stated in paragraph 106, a duty of two dollars per ton on the tonnage of the vessel is chargeable on foreign vessels from any port at which vessels of the United States are not ordinarily permitted to enter or trade (§ 4,219). This must be exacted on each voyage (§ 4,223).

Certificate of Payment of Tonnage Duty.

111. As the payments under paragraphs 106-109 are severally available to exempt from further payment for a twelvemonth from the time of payment, a certificate of payment under the hands and seals of the collector and naval officer must be issued to the master, to be by him produced on subsequent entrances of his vessel. A duplicate certificate can not properly be issued without special permission of the Department. (Decision 3,938, March 25, 1879.)

The exaction must be of the whole amount for the whole year; and no refund can be made on the ground of the laying up or loss of the vessel. Nor can an additional sum be exacted if the tonnage of the vessel be increased within the succeeding twelvemonth. (Same Decision.)

If the certificate of payment be lost, application must be made to the Treasury Department, which keeps a record of the payments; and no information obtained from other sources can be accepted as evidence of payment. (Decision 4,226, October 2, 1879.)

Light Money.

112. An additional duty, denominated "light money," of fifty cents per ton on the tonnage of the vessel is chargeable on entrance, exempting from further payment for a twelvemonth under that head, on all vessels not of the United States making entrance at any port of the United States (Rev. Stat., §§ 4,225, 4,223), unless the vessel be in foreign ownership, and exempt by treaty (§ 4,227, Decision 3,938).

113. But if the vessel have no document as a vessel of the United States, and yet be owned by citizens of the United States, and carry a sea-letter or other regular document issued from a custom-house of the United States, proving the vessel to be the property of citizens of the United States, the vessel is not subject to the payment of light money, provided that, if the entrance be at the port at which the owner or any of the part owners reside, and such owner or part

owner make oath that the "sea letter or other regular document" possessed by such vessel contains the name or names of all the persons who are then the owners of the vessel; or, if any part of such vessel has been sold or transferred since the date of such sea letter or other document, that such is the case, and that no foreign subject or citizen has, to the best of his knowledge and belief, any share by way of trust, confidence, or otherwise, in such vessel; or, if the owner does not reside at such port, nor any part owner, and the master make oath to the like effect. (Rev. Stat., § 4,226.)

114. As this payment, also, is available to exempt for a twelve-month, the master should obtain a certificate thereof under the hands and seals of the collector and naval officer.

Penalty for Death of a Passenger.

115. The master, owner, or consignee of any vessel on board of which shall have occurred the death, by natural disease, of any passenger above the age of eight years, "other than cabin passengers," must pay to the collector ten dollars for each of such passengers within twenty-four hours after the time within which the report and list of passengers is required to be delivered to the collector. (Rev. Stat., § 4,268.)

The practice is to collect this penalty at the time of entrance.

Marine Hospital Tax from United States Vessels.

116. From the master or owner of any vessel of the United States arriving from a foreign port there must be collected, before the vessel is admitted to make entrance, the sum of forty cents per month for each seaman who has been employed on such vessel since she was last entered at any port of the United States, which sum the master or owner may retain or collect from the wages of such seaman. (Rev. Stat., § 4,585.)

The master is required to make a detailed statement under oath of the account of the moneys due under the section cited.

State and Municipal Charges.

117. The legal fees which have accrued on a vessel must be paid at the offices where such fees are respectively payable, and receipts therefor must be produced to the collector before he can grant a clearance. (Rev. Stat., § 4,206.)

These fees are usually paid at the time of the entrance of the vessel, and to the collector as the agent for the other officials.

Master's Oath on Entrance of United States Vessel.

118. The form of such oath is as follows: I, ———, do solemnly, sincerely, and truly swear (or affirm) that the report and manifest subscribed with my name, and now delivered by me to the collector of the district of ———, contains, to the best of my knowledge and belief, a just and true account of all the goods, wares, and merchandise, including packages of every kind and nature whatsoever, which were on board the ——— at the time of her sailing from the port of ——— [here insert the name of the port whence the vessel last sailed], or which have been taken on board at any time since, and that the packages of the said goods are as particularly described as in the bills of lading, signed for the same by me, or with my knowledge.

That I am at present, and have been during the voyage [or, since ———], master of the said vessel.

That no package whatsoever, nor any goods, wares, or merchandise, have been unladen, landed, taken out, or in any manner whatever removed from on board the said vessel since her departure from the said port, except such as are now particularly specified and declared in the abstract or account herewith, and that the clearance and other papers, now delivered by me to the collector, are all that I now have, or have had, that any way relate to the cargo of the said vessel.

[2.] I do further swear (or affirm) that the several articles specified in the said manifest, as the sea stores for the cabin and vessel, are truly such, and were *bona fide* put on board the said vessel for the use of the officers, crew, and passengers thereof, and have none of them been brought, and are not intended, by way of merchandise, or for sale, or for any other purpose than above mentioned, and are intended to remain on board for the consumption of the said officers and crew.

[3.] I do further swear (or affirm) that if I shall hereafter discover, or know, of any other or greater quantity of goods, wares, or merchandise of any nature or kind whatsoever than are contained in the report and manifest subscribed and now delivered by me, I will immediately and without delay make due report thereof to the said collector; and I do likewise swear (or affirm) that all matters whatsoever in the said report and manifest expressed are, to the best of my knowledge and belief, just and true.

[4.] I do further solemnly swear (or affirm) that I have, to the best of my knowledge and belief, delivered, at the post-office at ——— [the one at or nearest the port], every letter, and every bag,

packet, or parcel of letters, which were on board the said vessel during her last voyage, or which were in my possession or under my power or control.

[5.] I do further swear (or affirm) that all the mails placed on board the said vessel at or before her last clearance from a port of the United States to a foreign port have been in good faith delivered at such foreign port, in accordance with the requirements of law.

[6.] I do further swear (or affirm) that the register of the said vessel, herewith presented, contains the names of all persons who are now owners thereof, except — [here state changes, if any, that have occurred in the ownership], and that no foreign subject or citizen hath, to the best of my knowledge and belief, any share, by the way of trust, confidence, or otherwise, in the said vessel.

[If the vessel is owned by an incorporated company in the United States, the foregoing clause should read]:

I do further swear (or affirm) that the register of the said vessel exhibits the true and actual ownership of said vessel.

[7.] I do further swear (or affirm) that no part of the crew of the said vessel has been impressed or detained in the course of the last voyage by any foreign power.

[8.] I do further swear (or affirm) that the said vessel sailed from the port of — on the — day of —, 18—.

[9.] I do further swear (or affirm) that no officer of the customs has applied for an inspection of the manifest of the cargo on board the said vessel, and that no certificate or indorsement has been delivered to me on any manifest of such vessel. [This clause should be omitted if the manifest has been indorsed by an officer of the revenue.]

(Chapter xxii, March 2, 1799, § 30; chapter i, December 31, 1792, § 17; chapter xcix, March 3, 1825; Rev. Stat., §§ 2,774, 2,795, 3,988, 3,976, 4,173, 4,590, 2,812.)

If the vessel be owned by individuals, and one of them reside at the port of entry, he must make the sworn statement here incorporated as the 6th clause. (Rev. Stat., § 4,173.)

Master's Oath on Entrance of a Foreign Vessel.

119. The master of a vessel of any foreign nation, on making entrance, must take an oath like the above, except that he should in all cases omit clauses 5, 6, and 7, and should omit clause 9 also, whenever his manifest has been certified. (Chapter cci, July 18, 1866, § 25; Rev. Stat., §§ 2,806-2,814.)

Permits on Entrance.

120. At the time of entrance of a vessel it is usual to give, on demand, a permit to land chronometer for rating, old sails for repairing, and water casks for filling; also a permit to land grain bags for repairing; also a permit for landing any other thing for the purpose of repairing, all such things to remain under the control of the inspector, whose duty it is to see them on board again.

Also a permit to take in coal or cargo, while unloading, if it can be done with safety to the revenue.

Also, in the case of steamers, a permit to lade coal or cargo after sunset.

Permit to Land Ballast.

121. Upon the oath of the master or owner of the vessel, describing the ballast and declaring that it is of no mercantile value, a permit is granted directing the inspector to allow the ballast to be landed unless it be of mercantile value, in which case, or, if he be in doubt, he must return the permit with his indorsement accordingly, and the ballast must then be appraised. (Decision 374, April 6, 1869; Decision 3,415, November 14, 1877.)

Notice in "One-Day Book."

122. As the master may have occasion to resort to a "general order" to clear his vessel of unpermitted merchandise, it is usual to enter the name of the vessel at once in the "One-Day Book," thereby giving notice of intention to ask for a general order to the collector—that is, to the public through the collector. (Rev. Stat., § 2,880.)

One whole working day must intervene between that on which the notice is given and that on which the general order is granted. (Treasury letter, April 3, 1861); that is, one whole day on which the custom-house is open for the entry of merchandise.

In this book the fact of the granting of general order is also entered. For that reason, such steamers as obtain general order immediately on the entrance of the vessel are also entered in this book.

Forfeited Wages, etc., United States Vessels.

123. All clothes, effects, and wages of seamen upon merchant vessels of the United States, forfeited for desertion, except so much as has been applied in payment of the expenses occasioned by the desertion, must be delivered or paid to the United States Shipping

Commissioner at the port where the voyage has terminated. (Rev. Stat., § 4,604.)

If there be no shipping commissioner there, then they must be delivered and paid to the collector (§ 4,503).

Wages, etc., of Deceased Seamen, United States Vessels.

124. Whenever any seaman or apprentice, belonging to or sent home on any merchant vessel, dies during such voyage, the master must, within forty-eight hours after his arrival, deliver any effects of such seaman or apprentice remaining unsold, and pay any money which he has taken charge of or received from sale of effects, and the remainder of wages due to the deceased, to the United States Shipping Commissioner, unless he shall have delivered them to a consular officer, and in that case he must produce to the shipping commissioner the consular receipt; and the master must obtain from the shipping commissioner a certificate that he has done as above stated to be required, and produce such certificate to the collector. If there was a death, and the certificate of the shipping commissioner is not produced, the collector is forbidden to clear the vessel. (Rev. Stat., §§ 4,538, 4,539.)

If there be no shipping commissioner, the master must account to the collector, as in the case mentioned in the last paragraph.

Where Vessels may be Unladen.

125. It is not lawful to make entrance of any vessel from any foreign port, nor to make entry of the cargo, elsewhere than at a port of entry.

No vessel which is not a vessel of the United States can be lawfully allowed to make entrance in any other district than the one in which she is admitted to unlade; and she can be lawfully admitted to unlade only at ports of entry established by law. (Rev. Stat., §§ 2,770, 2,771. See § 3,129.)

Every port of entry is a port of delivery, and there are also other ports of delivery. Vessels of the United States may unlade at any port of delivery, but they must first come to at the port of entry, and there make entrance and pay all duties, port fees, and charges, before they proceed to the port of delivery, under penalty upon the master of five hundred dollars. (Rev. Stat., §§ 2,770, 2,772.)

Section 2,770 contains this additional provision: "This section shall not prevent the master or commander of any vessel from making entry with the collector of any district in which such vessel

may be owned, or from which she may have sailed on the voyage from which she shall then have returned." The meaning is not clear. Perhaps the provision has no value nor effect at the present time; it is from the act of 1799.

See sections 5,314-5,321, as to the procedure, when ports are obstructed because of insurrection.

Unlading without Authority.

126. If, after the arrival of any vessel within the limits of any collection district, or within four leagues of the coast, any part of the cargo is, for any purpose whatever, unladen before the vessel has come to the proper place for the discharge of her cargo, and has there been duly authorized to unlade the same, the master and the second in command are severally liable to a penalty of one thousand dollars for each such offense, and the merchandise so unladen is forfeited, except in the case of some unavoidable accident, necessity, or distress of weather. In the excepted case the master must give notice to the collector, and, together with two of the officers or mariners, of whom the second in command must be one, must make proof to the collector of the district where the emergency arose; or, if it was without any collection district, but within four leagues of the coast, to the collector of the district in which he first arrives. Such collector is authorized to administer the oath. (Rev. Stat., § 2,867.)

The master of any vessel receiving cargo so unladen, and any person aiding him, are liable to a penalty of treble the value of the merchandise so unladen, and the vessel to forfeiture, unless the notification and proof are given as above stated to be required (§ 2,868).

Permits for Unlading.

127. No merchandise can be lawfully unladen without a permit for such unlading from the collector, and the naval officer, if there be one. (Rev. Stat., § 2,872.)

License to Unlade at Night.

128. No merchandise brought in any vessel from any foreign port can be lawfully unladen or delivered but between the rising and the setting of the sun, except by special license from the collector of the district, and the naval officer of the same, if there be one. (Rev. Stat., § 2,872.)

Penalty for Absence of Permit or License.

129. All merchandise unladen or delivered without permit, or between sunset and sunrise, without license, is forfeited; and the vessel is also forfeited where the value of such merchandise is four hundred dollars, according to the highest market price for the same in the district where landed; and the master, and every other person knowingly concerned or aiding in unlading or delivering, or in removing, storing, or otherwise securing such merchandise, is liable to a penalty of four hundred dollars for each offense, and is disabled from holding any office of trust or power under the United States for a term not exceeding seven years, and to publication by name in the State in which he resides, within twenty days after his conviction. (Rev. Stat., §§ 2,874, 2,873.)

Allowance of Time for Unlading.

130. Eight working days are allowed for the unlading of a vessel of less than three hundred tons; twelve working days for a vessel of three hundred tons, but less than eight hundred; and fifteen working days for a vessel of eight hundred tons burden and upward; from the time within which the master is required to make report to the collector. (Rev. Stat., § 2,880.)

Sundays and the Fourth of July are excluded from the count (§ 2,877). Days so rainy that they absolutely prevent the unlading of the vessel are also excluded.

Extension of Time for Unlading.

131. The master of a vessel laden with salt or coal may have, from the collector, an extension of time for unlading not exceeding fifteen days; and for such overtime he must pay as stated in paragraph 132. (Rev. Stat., § 2,881.) In practice, this privilege is extended for other cargoes, on like condition.

Payment for Overtime.

132. In cases where more than the legal time has been employed in the aggregate, by reason of the delivery of the cargo in more than one collection district, or in cases where the time has been extended under section 2,881, a sum equivalent to the per diem of the inspector, for every day of excess, must be paid to the collector by the master or owner of the vessel; and the inspector must give an exact account of the amount due before the clearance of the vessel. (Rev. Stat., §§ 2,879, 2,881.)

General Order in Ordinary Cases.

133. At the expiration of the working days allowed by law for unlading, after the time of entrance, or after the expiration of the extended time, if there is found any merchandise other than has been manifested for some other district, or some foreign port, the collector must take possession thereof. (Rev. Stat., § 2,880.)

The language of the statute is mandatory ; but a discretion is exercised ; for, if the merchandise be non-dutiable, or worthless, the Treasury would have no interest in it, and, in the latter case, there would be a question as to the source from which should come the compensation of the storekeeper as well as of the cartman.

But, with the consent of the owner or consignee of any merchandise, or with the consent of the owner or master of the vessel in which the same may be imported, the merchandise may be taken possession of by the collector after one day's notice to the collector of the district (§ 2,880). See paragraph 122.

The collector takes possession of the merchandise by issuing what is known as a *general order*, directing that unpermitted cargo be unladen and disposed of as therein directed.

A general order is sometimes issued immediately, on the written request of the master and consent of each of the consignees named in the manifest.

As to storage of merchandise under general order, see sections 2,965, 2,969, 2,975, 2,976.

General Order for Certain Steamers.

134. When merchandise is brought in vessels propelled in whole or in part by steam, and it appears by the bills of lading that the merchandise is to be delivered immediately after the entrance of the vessel, the collector may take possession of such merchandise as soon as the entrance has been made, and deposit the same in bonded warehouse. (Rev. Stat., § 2,966.) The collector proceeds by issuing a general order.

License to Remain on Wharf.

135. Upon the written application of the master, owner, or agent of any steamer, he agreeing to pay the duty to the collector, and, to the owner or consignee, the value of any cargo which may be stolen, burned, or otherwise lost, by so remaining, the collector may grant a license to allow unpermitted cargo, landed under the operation of general order, to remain upon the wharf for a time

not to exceed forty-eight hours after the complete unloading of the vessel, or for any shorter time. (Treasury Decisions 3,230, 3,259, and 3,278 of 1877.)

License to Unlade at Night.

136. The collector, with the concurrence of the naval officer, if there be one, upon or after the issuing of a general order, must grant, upon proper application therefor, a special license to unlade the cargo between sunset and sunrise ; but, before any such special license is granted, the master, agents, or consignees of the vessel must execute and deliver to the collector a good and sufficient bond, to be approved of by him, conditioned to indemnify and save the collector harmless from any and all losses and liabilities which may occur or be occasioned by reason of the granting of such special license. But the liability of the master or owner of the steamer to the owner or consignee of any merchandise landed under the license is continued until the merchandise is properly removed from the wharf. The collector, under general regulations of the Treasury, fixes a uniform rate of compensation for the inspectors for the extra services made necessary by such special license. (Rev. Stat., § 2,871.)

There is no authority of law for allowing extra compensation for inspectors for night work on sailing vessels. (Decision 3,121, February 20, 1877.)

Port Entry.

137. In all cases of the omission of any merchandise from the manifest, verified by the oath of the master on entrance, he must make a port entry of such merchandise thereon ; that is, an addition of the same to the statement of cargo contained in such manifest ; and it is not lawful to grant a permit to unlade such merchandise before the port entry has been made. (Rev. Stat., § 2,887.) The port entry must be verified, by the oath of the master, before the collector.

Sea Stores.

138. When it appears to the collector, and to the naval officer, if there be one, that the quantity of any of the articles reported as sea stores is excessive, he or they may, at discretion, estimate the duty on the excess, and the sum so estimated must be forthwith paid, on pain of forfeiting the value of such excess.

If any other or greater quantity of articles are found on board as sea stores than are specified in the statement of sea stores, or if

any of the articles are landed without a permit, all the articles which are so omitted, and all which are landed without a permit, are forfeited, and, in addition, the master is liable to a penalty of treble the value of the articles omitted or landed. (Rev. Stat., §§ 2,796, 2,797.) It is not sufficient to seal up the stores until after the clearance of the vessel; the duty must be exacted. (Decision 4,438, March 5, 1880.)

Merchandise, personal effects, curios, etc., belonging to the master or men, should be separately stated, specifying the ports of destination respectively; they should not be included in the store list. Nor should any of the equipment of the vessel, such as grain bags belonging to the vessel, be included in the store list.

Coal brought in Steam Vessels.

139. The master of any vessel propelled by steam may retain all the coal such vessel may have on board at the time of her arrival, and may proceed with such coal to a foreign port, without being required to land the same in the United States, or to pay any duty thereon. (Rev. Stat., § 2,798.)

Grain Bags as Equipment.

140. Grain bags belonging to the vessel may be considered a part of the "ship's furniture," and as such may be landed under permit, and allowed to remain under the supervision of an officer of the customs until they are returned on board; but they must be returned in the same vessel which brought them. (Decision 2,992, October 5, 1876.)

Permit to Retain for Another District.

141. If merchandise be brought in any vessel from a foreign port, and be specified in the manifest, as verified by the master on the entrance of the vessel, to be destined for certain other districts, the master—after giving bond with one or more sureties, to the satisfaction of the collector, in a sum equal to the amount of the duties on such merchandise, according to such estimate as the collector may form, with the condition that such merchandise shall be entered and delivered in the specified districts—may have a permit to proceed to the designated districts without paying duties until his arrival in such districts. (Rev. Stat., §§ 2,779, 2,782.)

The master must obtain a permit to retain such merchandise on board, and deliver such permit to the inspector, so that the inspector may make a complete return of the cargo found on board.

It seems that no bond would be necessary if the merchandise be free from duty.

Permit to Retain for a Foreign Port.

142. Any vessel may obtain a clearance foreign, or a permit to proceed, as the case may be, with the merchandise brought in her, reported in the manifest delivered to the collector, as destined for any foreign port, without paying or securing the duties upon such merchandise as shall be actually reexported in the vessel; *Provided*, the manifest specifying such foreign destination is delivered and verified by oath within forty-eight hours after the arrival of the vessel; and *Provided*, the master give bond, with one or more sureties, to the satisfaction of the collector, in a sum equal to the amount of the duties, as estimated by the collector and naval officer, with the condition that no part of such merchandise shall be landed in the United States without due entry and payment of duty. (Rev. Stat., §§ 2,776, 2,777.)

The master must obtain a permit to retain on board the specified merchandise, and deliver such permit to the inspector.

The bond must be taken for the same period, and be canceled in like manner as a bond given for obtaining drawback of duties. If the bond be not canceled, the collector must, immediately after the expiration of the time within which, by the conditions of the bond, the same should be canceled, put the same in suit, provided proof of the occurrence of such a necessity as excuses an unlading of such merchandise within the United States has not been produced nor further time been granted by the Secretary of the Treasury. (Rev. Stat., §§ 2,777, 2,778.)

If the arrival of the vessel within the district was occasioned by stress of weather, pursuit or duress of enemies, or other necessity, the bond is not required (§§ 2,777, 2,773).

As the bond is to be given in a sum equal to the duties, it seems that, if the merchandise be free from duty, no bond should be taken; if taken, it would have to be for an arbitrary amount, say in one hundred dollars, as an additional guard in the case of a foreign vessel against the transportation of merchandise coastwise.

If, except from such necessity as above enumerated, the vessel shall depart, or attempt to depart, without making entrance, the master is liable to a penalty of four hundred dollars; and any collector, naval officer, or surveyor, or commander of any revenue cutter, may cause the vessel to be arrested and brought back to the most convenient port of the United States (§ 2,773).

Return of the Inspector.

143. The inspector must examine the cargo or contents of the vessel, and superintend the delivery of so much thereof as is to be unladen in the United States, and perform such other duties as the collector or surveyor may direct for the better securing the collection of the duties; he must allow no merchandise to be unladen without a written permit; he must enter in a book to be kept by him an account of the disposition made of the several articles of the cargo; he must, if so ordered, proceed with the vessel to superintend unloading of cargo in another district.

The master must furnish him with such provisions and accommodations as are usually supplied to passengers, or as the state and condition of such vessel will admit, on receiving therefor fifty cents a day, under penalty of one hundred dollars. (Rev. Stat., §§ 2,875, 2,876, 2,878.)

When the unloading of the cargo is completed, the inspector must, within three days after such unloading is completed, if at the port of entry, or so soon as the nature of the case will admit, not exceeding fifteen days if at any other port, return to the collector and naval officer, severally, a copy of the account kept by him, including the several items of merchandise remaining on board for another district or for a foreign port. (Rev. Stat., § 2,888.)

The inspector must sign such duplicate returns and deliver them to the surveyor at the port of delivery for examination and certification. The latter must transmit them to the naval officer, who must compare them with the manifest and entries, and indorse upon the returns a note of any difference which appears, and transmit them to the collector. The latter must compare the same with the manifest and entries of merchandise, and, if any difference appears, must note the same on the manifest, specifying the particulars thereof, and, if no difference appears, must indorse the fact that the delivery corresponds with the manifest and entries. The indorsement must be subscribed by the officer who makes the comparison. (Rev. Stat., § 2,889.)

In practice, the examination by collector and naval officer proceeds concurrently to save time; and port entries are made in accordance with the return of the inspector. If there is a short delivery of cargo, the master produces a memorandum, from the consignee who has received less than was manifested for him, that he has no objection to the clearance of the vessel, or that he is satisfied with the delivery, or the master must account for the discrepancy by oath or otherwise. It seems that, so far as the interest of

the consignee is concerned, the collector could detain the vessel only long enough to allow the consignee to libel her.

Permit to Proceed to Another District.

144. In the case mentioned in paragraph 141 the master must obtain from the collector a copy of the manifest used in making entrance, certified by the collector, and also a certificate annexed thereto of the quantity and particulars of the merchandise which appears to have been landed in the district, or of the merchandise which remains on board, and upon which, whatever duties are payable, are to be paid in the other specified district. (Rev. Stat., § 2,780.)

He must also obtain a special permit to proceed with the residue of the cargo; not the ordinary coastwise permit, for that would work confusion, and is unsuitable in form beside.

Within twenty-four hours after the arrival of the vessel within another designated district the master must make report and entrance, using the copy of the manifest certified as above, and the certificate as to merchandise previously unladen or remaining. (Rev. Stat., § 2,781.)

The entrance must be from the foreign port by way of the previous domestic one, for the foreign voyage is as yet incomplete, and entrance of the vessel as from a foreign port must precede the entries of merchandise.

The bond must be canceled within six months of its date by the production of certificates from the collectors of the districts for which the merchandise was retained, showing the due entry and delivery of the same; or upon due proof to the satisfaction of the collector who took the bond, with the concurrence of the naval officer, if any, that such entry and delivery were prevented by some unavoidable accident or casualty, and that whatever cargo has not been lost has been entered and delivered within the United States. (Rev. Stat., § 2,783.)

The master is liable to a penalty of five hundred dollars if he fail by his neglect or fault to obtain the certified copy of the manifest, or the certificate showing what had been unladen, or what retained on board, or to exhibit the same to the collector of any district reached subsequently, within the time allowed. (Rev. Stat., § 2,784.)

Vessels Returned in Distress.

145. A vessel which has made clearance and departed, if she return in distress and her stay be protracted, or if she wish permit to unlade any part of her cargo, or for other purpose, should reënter.

So, if her voyage be postponed after clearance, and she need any permit, she should reënter; or, if her voyage be abandoned.

Such vessels have been allowed to reënter without payment of fees for services rendered by the collector and surveyor, but, apparently, without sufficient reason. The services are actually rendered, and, on principle, it seems that the fees for them should be paid as in other cases. They are required to pay for the permits.

For reëntance, a manifest stating the cargo to be the same as was cleared on a certain day for a certain port, showing changes, if any, would be sufficient.

Vessel in Distress Bound Foreign.

146. As a vessel bound from a domestic port to a foreign one is in the foreign trade, and may have reëxported or drawback merchandise on board, and, if she be a foreign vessel, could not land merchandise without forfeiture thereof at an intermediate domestic port, any such vessel arriving in distress and making a protracted stay should make foreign entrance as from sea in distress, and, if it be necessary to unlade any of her cargo to allow of a repair of the vessel, a permit should be obtained addressed to the surveyor to allow so much of the cargo as may be necessary to be unladen, under the supervision of an inspector, to remain under his control, and to be reladen under his supervision on the same vessel. His indorsement, on the back of the permit, of his action, is accepted as a sufficient return. If the emergencies of the case require other final disposition of any part of the cargo, there should be supplementary instructions given to the inspector in charge.

Vessels in Distress from Foreign Ports.

147. If any vessel from any foreign port put into any port of the United States, not being destined for the same, but compelled by distress of weather or other necessity, the master, together with the person next in command, within twenty-four hours after her arrival, may make protest in the usual form upon oath, before a notary public or other person duly authorized, or before the collector, setting forth the cause or circumstances of such distress or necessity. The protest, if not made before the collector, must be exhibited to him and to the naval officer, and a copy thereof be lodged with the collector.

The master must also, within forty-eight hours after such arrival, make entrance of the vessel and her cargo, as in other cases.

If it appear to the collector, by the certificate of the wardens of

the port, or other officers usually charged with and accustomed to ascertain the condition of vessels arriving in distress, or, if there be no such officers, by the certificate of two reputable merchants to be named for that purpose by the collector, that there is a necessity for unloading the vessel, the collector and naval officer must grant a permit for that purpose and appoint an inspector to oversee such unloading, who must keep an account of the same to be compared with the manifest made by the master of the vessel.

In case the cargo thus unladen does not agree with the manifest thereof, the master is liable to the penalties prescribed in other like cases, unless the difference is satisfactorily accounted for.

All merchandise so unladen must be stored under the direction of the collector.

The collector, together with the naval officer, must, on the request of the master or of the owner, allow entry to be made, on payment of the duties of such part of the cargo as is of a perishable nature, or as may be necessary to defray the expenses attending such vessel and her cargo.

The cargo, or so much as may remain, after disposition of a part as above stated, must be reladen on board the vessel under the supervision of the inspector who superintended the unloading, or, of some other proper person, and the vessel must be cleared for her port of destination.

The vessel is free from any charge except for the storing and safe-keeping of the cargo, and the fees for the services of the officers of the customs, chargeable in other cases. (Rev. Stat., §§ 2,891–2,894.) This seems to exempt from tonnage duty only of the Federal charges. (Decisions 1,788 of 1874, 3,164 of 1877, and Treasury letters February 3, 1879, and December 29, 1880.)

Vessels Obstructed by Ice.

148. When a vessel is prevented by ice from getting to the port or place proper for the unloading of her cargo, the vessel may be allowed to make entrance, and the collector and naval officer may allow entry of the cargo to be made, and may grant permits for unloading at any place within the district most convenient and proper. The vessel is otherwise subject to the same regulations and penalties as in other cases. (Rev. Stat., § 2,896.)

Vessels with Permits to Touch and Trade.

149. The master of any vessel licensed for the fisheries, having a permit to touch and trade at any foreign port, must deliver like

manifests and make like entrance within the same time, and under the same penalty, as are by law provided for vessels of the United States arriving from a foreign port, and like entries must be made of the merchandise. (Rev. Stat., § 4,364.)

The vessel having a license for the fisheries would, while employed in the fisheries, be exempt from the payment of tonnage duty (§ 4,220.) But the possession of a permit to touch and trade at a foreign port suggests a question of liability to the duty. On this subject the Treasury has said that such a vessel having touched at a foreign port, if she shall have been actually employed in catching fish, is not subject to tonnage duty on her arrival at a port of the United States. The question of employment is to be determined, in the first instance, by the collector of the port of arrival. (Decision 3,467, February 2, 1878.)

The question also arises whether the possession of the permit to touch and trade at any foreign port makes the vessel liable to the marine hospital tax. It seems not. For the question of liability turns upon the nature of the marine document, namely, the license for the fisheries, and not upon that of the employment. (Decisions 4,530, May 15, 1880 ; 4,761, February 3, 1881.)

Vessels Coastwise via Foreign Port.

150. The master of any vessel under United States register, employed between ports of the same, and touching at any foreign port, must, on her arrival at any port of the United States from any foreign port, conform to the laws providing for the delivery of manifests of cargo and passengers, and all other laws regulating the report and entrance of vessels from foreign ports, and be subject to all the penalties therein prescribed. (Rev. Stat., § 3,126.)

BOOK III.

GENERAL INFORMATION.

CHAPTER IX.

Collection Districts Defined.

151. The waters and shores of the United States are divided into collection districts, of which the boundaries are given in the Revised Statutes, in §§ 2,517 to 2,604.

Ports of Entry.

152. Each collection district has one port of entry. (See the sections named in paragraph 151.)

It is not lawful to make entrance of any vessel from any foreign port elsewhere than at a port of entry. (Rev. Stat., § 2,770.)

Vessels of the United States, bound for a port of delivery, must make entrance, and pay duties, at the port of entry before proceeding to the port of delivery. (§§ 2,770, 2,771, 2,772.)

Foreign vessels can unlade at ports of entry only. (§ 2,771.)

Ports of Delivery.

153. Every port of entry is also a port of delivery. (Rev. Stat., § 2,770.) Some of the districts have additional ports of delivery. (See §§ 2,517 to 2,604, Rev. Stat.) Chattanooga, in the State of Tennessee, was created a port of delivery by act of February 28, 1881. Atlanta, in the State of Georgia, was also created a port of delivery by another act of the same date. Indianapolis, in the State of Indiana, was created a port of delivery by act of March 3, 1881.

Unlading at ports of delivery is reserved for vessels of the United States. (§§ 2,770, 2,771, 2,772.)

Great Coasting Districts.

154. The Atlantic sea-coast of the United States is divided into three great districts; the first includes all the collection districts between the easterly limits of the United States and the southerly limits of Georgia; the second all the collection districts between the river Perdido and the Rio Grande; and the third all the collection districts between the southerly limits of Georgia and the river Perdido. (Rev. Stat., § 4,348.)

Alaska.

155. "The coasting trade between the territory ceded to the United States by the Emperor of Russia and any other portion of the United States shall be regulated in accordance with the provisions of law applicable to such trade between any two great districts." (Rev. Stat., § 4,358.)

Rhode Island and Long Island.

156. Rhode Island and Long Island are put upon the same footing, as to coasting vessels, as they would have been if Long Island had been part of a State adjoining the State of Rhode Island. (Rev. Stat., § 4,357.)

War Vessels and Public Packets.

157. Vessels of the United States Government, and vessels of war of other nations, and public packets, employed by any foreign power for the conveyance of dispatches, need not make entrance nor clearance. This exemption seems to rest upon international law; but such foreign vessels are exempted by statute from the necessity of making entrance on their arrival from a foreign port. (Rev. Stat., § 2,791.)

Vessels Laden with Live-oak Timber.

158. Collectors of the districts within the States of Florida, Alabama, Mississippi, and Louisiana, before allowing a clearance to any vessel laden in whole or in part with live-oak timber, must ascertain satisfactorily that such timber was cut from private lands, or, if from public lands, by consent of the Department of the Navy. (Rev. Stat., §§ 2,463, 4,205.)

Measurement of Foreign Vessels.

159. A foreign vessel while in port must have her tonnage ascertained and stated by the surveyor. The master is entitled, on

demand, to a formal certificate, to be exhibited at domestic ports as evidence of tonnage. If the registered tonnage be according to the Moorsom system, which has also been adopted by the United States, it is accepted, after adding thereto whatever should be included under our law, but has been omitted under the foreign measurement. If the statement of tonnage in the register be not according to the Moorsom system, the vessel is actually measured, but under § 4,153, not under § 4,154, the latter being deemed superseded by the former, which is from a later statute.

Commission to Sail for Pleasure.

160. The Secretary of the Treasury has authority to issue a commission to sail for pleasure in any designated yacht belonging to any regularly-organized and incorporated yacht club, for the identification of the yacht and her owners, as a token of credit to any United States official, and to the authorities of any foreign power, for the privileges enjoyed under it. (Rev. Stat., § 4,217.) The commission is not designed as a substitute for the yacht license, but is an additional document, which *must* be conclusive upon all United States officials, and *may* be so to the authorities of any foreign country. The commission is issued only to a yacht going abroad, and it must be surrendered on her return from a foreign cruise. (Rev. Stat., § 4,217; Decision 849 of 1871.)

Nitro-Glycerine on Passenger Vessels.

161. It is not lawful, upon or in any vessel or other vehicle used or employed in transporting passengers by land or water, to transport, carry or convey, ship, deliver on board, or cause to be delivered on board, the substance or article known as nitro-glycerine, or glynoin oil, nitro-leum or blasting oil, or nitrated oil, or powder mixed with any such oil, or fiber saturated with any such article or substance, between a place in any foreign country and a place within the limits of any State, Territory, or district of the United States, or between a place in one State, Territory, or district of the United States, and a place in any other State, Territory, or district thereof. (Rev. Stat., § 4,278.)

Packing Nitro-Glycerine on other Vessels.

162. It is not lawful, by any vessel or other vehicle of any description, upon land or water, to ship, send, or forward any quantity of the substances named in the preceding paragraph, nor to transport, convey, or carry the same between a place in a foreign coun-

try and a place within the United States, nor between a place in one State, Territory, or district of the United States, and a place in any other State, Territory, or district thereof, unless the same be securely inclosed, deposited, or packed in a metallic vessel surrounded by plaster of Paris, or other material that will be non-explosive when saturated with such oil or substance, and separate from all other substances, and the outside of the package containing the same be marked, printed, or labeled in a conspicuous manner with the words "Nitro-glycerine—dangerous." (Rev. Stat., § 4,279.)

Inflammable Materials.

163. Any person shipping oil of vitriol, unslaked lime, inflammable matches, or gunpowder, in a vessel taking cargo for divers persons on freight, without delivering, at the time of shipment, a note in writing expressing the nature and character of such merchandise to the master, mate, or other officer or person in charge of the lading of the vessel, is liable to the United States in a penalty of one thousand dollars. But this provision is not applicable to any vessel used in rivers or inland navigation. (Rev. Stat., § 4,288.)

Dangerous Articles on Passenger Steamers.

164. No steamer of the United States carrying passengers can lawfully carry as freight, or to be used as stores, any loose hay, loose cotton, or loose hemp, camphene, nitro-glycerine, naphtha, benzine, benzole, coal-oil, crude or refined petroleum, or other explosive burning fluids, or other like dangerous articles ;

Nor can baled cotton or hemp be lawfully carried on such steamers unless the bales are compactly pressed and thoroughly covered with bagging of similar fabric, and secured with good rope or iron bands ;

Nor can gunpowder be lawfully carried on any such vessel except under special license ;

Nor can oil of vitriol, nitric or other chemical acids be lawfully carried on such steamers except on the decks or guards thereof, or in such other safe part of the vessel as shall be prescribed by the inspectors.

Refined petroleum, which will not ignite at a temperature less than one hundred and ten degrees of Fahrenheit thermometer, may be carried on board such steamers upon routes where there is no other practicable mode of transporting it, and under such regulations as may be prescribed by the board of supervising inspectors, with the approval of the Secretary of the Treasury ;

Oil or spirits of turpentine may be carried on such steamers when put up in good metallic vessels, or casks or barrels well and securely bound with iron and stowed in a secure part of the vessel ;

Friction matches may be carried on such steamers when securely packed in strong, tight chests or boxes, the covers of which shall be well secured by locks, screws, or other reliable fastenings, and stowed in a safe part of the vessel at a secure distance from any fire or heat. (Rev. Stat., § 4,472.)

Packing of Dangerous Articles.

165. All gunpowder, nitro-glycerine, camphene, naphtha, benzine, benzole, coal-oil, crude or refined petroleum, oil of vitriol, nitric or other chemical acids, oil or spirits of turpentine, friction matches, and other articles of like character, when packed or put up for shipment, must be securely packed and put up separately from each other and from all other articles ; and the package, box, cask, or other vessel containing the same shall be distinctly marked on the outside, with the name or description of the article contained therein. (Rev. Stat., § 4,475.)

United States Vessels must receive Outward Mails.

166. The master of any vessel of the United States bound from any port therein to any foreign port must receive on board, before clearance, and securely convey, all such mails as the Post-Office Department may offer ; and must promptly deliver the same on arriving at the port of destination to the proper officer, for which he is entitled to receive two cents for each letter so delivered ; and upon the entrance of such vessel, returning from a foreign port, the master must make oath that he has promptly delivered all the mail placed on board such vessel before clearance from the United States ; and, if he fail to make such oath, the vessel is not entitled to the privileges of a vessel of the United States. (Rev. Stat., §§ 3,976, 4,203.)

United States Vessels must receive Outward Bullion, etc.

167. All vessels belonging to citizens of the United States and bound from any port in the United States to any other port therein, or to any foreign port, must receive on board before clearance all such bullion, coin, United States notes and bonds and other securities as the Government of the United States or any department thereof may offer, and must securely convey and promptly deliver the same to the proper authorities or consignees on arriving at the

port of destination ; and are entitled to receive for such service such reasonable compensation as may be allowed to other carriers in the ordinary transactions of business. (Rev. Stat., § 4,204.)

Deposit of Register Abroad.

168. The master of a vessel of the United States, on his arrival at any foreign port, must deposit his certificate of registry with the consul, vice-consul, or commercial agent, or vice-commercial agent, if there be any at such port ; and he is not entitled to receive it again until he shall have paid the consular fees, complied with the provisions of law relating to the discharge of seamen in a foreign country, and produced a clearance from the proper officer of the port where his vessel is. (Rev. Stat., §§ 4,309, 1,718.)

Crew-Lists and Articles Abroad.

169. The crew-list and shipping articles must be produced to the United States consular officer, or commercial agent, whenever he may deem them necessary to enable him to discharge the duties imposed upon him by law. (Rev. Stat., § 4,575, third paragraph.)

The consul should note upon each the fact of the discharge of any of the men ; and should enter upon each the names, etc., of any additional men shipped. (§§ 4,517, 4,582.)

Extra Wages on Discharge for Cause.

170. If a consular officer discharge any seaman upon his own application, under any act of Congress, or according to the general principles or usages of maritime law, as recognized in the United States, he must exact from the master three months' wages, over and above the wages which may then be due to the seaman. But if the misconduct of the seaman be the cause of discharge, the consul may remit two thirds of the amount of such extra wages—that is, so much as would be payable to the seaman. (Rev. Stat., § 4,580.)

Extra Wages, on Sale, or with Consent.

171. If the company of a vessel of the United States be discharged in a foreign country, because of her sale, or if any seaman be discharged with his own consent in a foreign country, the consular officer must exact for each seaman so discharged, if he be designated on the crew-list as a citizen of the United States, three months' pay, over and above the wages which may then be due to the seaman so designated. (Rev. Stat., § 4,582.)

It seems that by the sale above mentioned is intended a sale which carries the vessel from under the United States flag ; otherwise no necessity is apparent for a discharge of the seamen.

No Extra Wages in Certain Cases.

172. If a vessel of the United States be wrecked, or stranded, or condemned as unfit for service, and the seamen be discharged, no extra wages can be exacted. (Rev. Stat., § 4,583.)

Marine Hospital Tax, on Sale.

173. Whenever a vessel of the United States is sold in a foreign water, the consular officer of the district within which the sale or transfer is made, or in whose hands the certificate of registry is, must collect the marine hospital tax, forty cents per month, for each seaman, remaining unpaid at the time of such sale or transfer, and must retain possession of the certificate of registry until payment is made.

In default of such payment, the sale or transfer is void except against the vendor. (Rev. Stat., §§ 4,586, 4,585.)

United States Vessels must receive Mails from Consuls.

174. The master of any vessel of the United States bound from any foreign port to any port of the United States must receive on board before clearance, and securely convey all such mails as any diplomatic or consular officer of the United States abroad, such as minister, consul, or commercial agent, shall offer ; and must promptly deliver the same, on arriving at the port of destination, to the proper officer, for which he is entitled to receive two cents for every letter so delivered. (Rev. Stat., §§ 3,976, 4,203.)

United States Vessels must receive Bullion, etc., from Consuls.

175. All vessels belonging to citizens of the United States, and bound from any foreign port to any port in the United States, must receive on board, before clearance, all such bullion, coin, United States notes and bonds and other securities, as any minister, consul, vice-consul, or commercial or other agent of the United States abroad shall offer, and must securely convey and promptly deliver the same to the proper authorities or consignees, on arriving at the port of destination ; and is entitled to receive for such service such

reasonable compensation as may be allowed to other carriers in the ordinary transactions of business. (Rev. Stat., § 4,204.)

Change of Ownership Abroad.

176. When a sale is made at a foreign port, of a registered vessel of the United States, to citizens of the United States, the consul may authenticate the bill of sale, record it in his office, and deliver to the purchaser a certificate of the fact, and of the fact that the purchaser is a citizen of the United States. But the consul can not lawfully issue a register, enrollment, license, or sea letter. (Consular Regulations of 1874, Articles 219, 220, 222.)

In such cases, the consuls sometimes withhold the certificate of registry, and allow the vessel to go to sea, with only the certificate as to purchase, etc. This is without authority of law. Indeed, the law seems to indicate the other course. For section 4,166 of the Revised Statutes provides for the granting of a new register in such cases, within three days after the first arrival of the vessel at any port of the United States, on compliance with all the requisites of law in order to the registry of vessels, and one of those requisites is the production and surrender of the certificate of registry. And section 4,586 requires the consul to retain possession of the papers of such vessel, in case of her sale, *until* the marine hospital tax, due at the time, shall have been paid. It seems to be assumed that, *after* payment of the tax, if the vessel be properly cleared, she is entitled to have her papers again, for production and surrender in the United States.

Consular Fees.

177. The law authorizes the President, from time to time, to prescribe the tariff of fees, and limits the consuls to the rates fixed in such tariff. (Rev. Stat., § 1,745.)

Table of Present Rates. Revised May 1, 1881.

[To take effect September 1, 1881.]

ACKNOWLEDGMENTS.

- | | |
|--|---------|
| 1. Of the master to bottomry bond with certificate under seal..... | \$1 00 |
| 2. Of the master to a mortgage or mortgage bill of sale of vessel..... | 1 00 |
| 3. Of the master to an order for payment of seamen's wages at home,
including making up the order, if required..... | 1 00 |
| 4. Of assignment of bottomry bond..... | 1 00 |
| 5. Of the vendor to a bill of sale of vessel..... | 1 00 |
| 6. Of power of attorney to transfer United States stock..... | No fee. |

AUTHENTICATING COPIES OF PAPERS.

7. Of advertisement for funds on bottomry.....	\$1 00
8. Of inventories and letters, or either, of master	1 00
9. Of marine note of protest.....	1 00
10. Of extended protest.....	1 00
11. Of account of sales of vessel, cargo, provisions, and stores, or either..	1 00
12. Of call, warrant, and report of survey on vessel, hatches, cargo, provisions, and stores, or either.....	1 00

AUTHENTICATING SIGNATURES.*

13. To average bonds.....	1 00
14. To estimate of repairs of vessels.....	1 00
15. To (auctioneer's) account of sales of vessel or cargo, provisions or stores.	1 00
16. To reports of survey on vessel or cargo, provisions or stores.....	1 00
17. To forms of application for arrears of pay [and ?] of bounty of deceased or disabled soldiers.....	25
18. For authenticating all the vouchers and other papers necessary for drawing a pension	50

CERTIFICATES.

19. To bill of health.....	2 50
20. To indorsement of bottomry on ship's register.....	1 00
21. To ditto on payment of bottomry on ship's register.....	1 00
22. To ditto of new ownership on ship's register.....	1 00
23. To canceling ship's register	1 00
24. To value of foreign currency in triplicate	1 00
25. Debenture certificate, including oaths of master and mate, and the complete execution of the certificate.....	2 50
26. For the medical examination authorized by the Act of June 2, 1879, "To prevent the introduction of contagious or infectious diseases into the United States": for fifty persons and under, \$5; from fifty to one hundred persons, for each ten additional persons or less, \$1; over one hundred, at the rate of \$5 for each additional hundred persons, to be accounted for to the National Board of Health.	
27. To decision and award, in cases of protests against masters, passengers, or crew.....	5 00
28. To the deposit of a ship's registers and papers, when required by custom-house authorities.....	1 00
29. In cases of vessels deviating from the voyage.....	1 00
30. To invoice of breeding animals.....	2 50
31. To invoice of works of art, the production of American artists.....	2 50
32. To manifest of fish, oil, bone, etc.....	2 50
33. To a vessel's manifest.....	2 50
34. To the purchase of foreign-built or American vessel abroad.....	2 50
35. To the examination required by Section 2162 of the Revised Statutes, for each emigrant	25
36. To invoice, including declaration, in triplicate.....	2 50

* When it is possible to embrace several signatures in one certificate, the consul will do so, and but one fee will be charged for such certificate.

37. To invoice of goods, not exceeding \$100 in value, in British North American Provinces.....	\$1 00
38. To place of birth of emigrants, and only when desired by them.....	25
39. For marriage certificate.....	1 00
40. To appointment of new master, including oath of master.....	2 00
41. Given to a master, at his own request.....	1 00
42. To the ownership of a vessel.....	1 00
43. To a seaman of his discharge.....	No fee.
44. To master to take home destitute American seamen.....	No fee.
45. To conduct of crew on board, in cases of refusal of duty, and in cases of imprisonment, etc.....	2 00
46. To roll or list of crew, when required by the captain or authorities of the port.....	1 00

DECLARATIONS AND OATHS.

47. Declaration and oath of master to one or more desertions, including oaths, attached to crew-list and shipping articles.....	50
48. To one or more deaths or losses of seamen overboard at sea, including oaths, attached to crew-list and shipping articles.....	50
49. To ship's inventories or stores.....	50
50. To the correctness of log-book.....	50
51. To ship's bills and vouchers for disbursements and repairs.....	50
52. To the animals, vehicles, and goods of an emigrant, including certificate.....	50
53. When seamen are picked up at sea.....	No fee.

CONSULS' ORDERS AND LETTERS.

54. To send seamen to hospital.....	No fee.
55. To send seamen to prison.....	1 00
56. To release seamen from prison.....	1 00
57. To authorities or captain of the port, in cases of sinking vessels.....	1 00
58. Requesting the arrest of seamen.....	1 00
59. Notice to master of result of examination on complaint of crew.....	1 00
60. Warrant of survey on vessels, hatches, cargo, provisions, and stores, or either.....	1 00
61. Notifying surveyors of their appointment.....	1 00
62. For any other letter or order of like character.....	1 00

PASSPORTS.

63. For issuing a passport.....	5 00
64. For visaing a passport.....	1 00

PROTESTS.

65. For noting marine protest.....	2 00
66. For extending marine protest.....	3 00
67. And if it exceed two hundred words, for every additional one hundred words.....	50
68. Protest of master against charterers or freighters.....	2 00

ESTATES OF DECEASED AMERICAN CITIZENS.

69. For taking into possession the personal estate of any citizen who shall die within the limits of a consulate, inventorying, selling, and finally	
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settling, and preparing or transmitting, according to law, the balance due thereon, five per cent. on the gross amount of such estate. If part of such estate shall be delivered over before final settlement, two and one half per cent. to be charged on the part so delivered over as is not in money, and five per cent. on the gross amount of the residue. If among the effects of the deceased are found certificates of foreign stocks, loans, or other property, two and one half per cent. on the amount thereof. No charge will be made for placing the official seal upon the personal property or effects of such deceased citizen, or for breaking or removing the seals.

RECORDING DOCUMENTS.

70. Appointment of a new master.....	\$ 50
71. Average bonds, when required, for every one hundred words, or less..	50
72. Bill of sale, when required, for every one hundred words or less.....	50
73. Certificate given to master at his own request, when required.....	50
74. Consul's letter to captain of port, or authorities, in cases of sinking vessels.....	50
75. Order and consul's certificate to pay seamen's wages at home.....	50
76. Powers of attorney, when required, for every one hundred words or less	50
77. Protests of masters and others, other than marine protests, for every one hundred words or less	50
78. Calls of survey on vessel, hatches, cargo, provisions, and stores, or either; warrants and reports thereof; estimates of repairs; certificates of consuls to advertisements for funds on bottomry, and of sale of vessel; inventory of vessel, cargo, provisions, and stores; letter of master to consul notifying sale of vessel, cargo, provisions, and stores, or either; letter of master to auctioneer, and account of sales of vessel, cargo, provisions, and stores, or either, for every one hundred words or less of any document required to be recorded, except consul's certificate to masters taking home American seamen.	50
79. Any other document or instrument of writing not herein named or enumerated, prepared in or out of the consulate, and required to be recorded, for every one hundred words or less.....	50

RECEIVING AND DELIVERING SHIP'S PAPERS.

80. For receiving and delivering ship's register and papers, including consular certificates, as prescribed in Forms Nos. 13 and 14, one cent on every ton, registered measurement, of the vessel for which the service is performed, if under one thousand tons; but American vessels, running regularly by weekly or monthly trips, or otherwise, to or between foreign ports, shall not be required to pay tonnage fees for more than four trips in a year; and tonnage fees shall not be exacted from any vessel of the United States touching at or near ports in Canada on her regular voyage from one port to another within the United States, unless some official service required by law shall be performed.....	01
81. And for every additional ton over one thousand, one half of one cent..	0½

SHIPPING OR DISCHARGING SEAMEN.

82. For every seaman who may be discharged or shipped, including the certificates or acknowledgments thereof attached to crew-list and shipping articles, to be paid by the master of the vessel.....\$1 00

FILING DOCUMENTS IN CONSULATE.

83. Consul's certificate to advertisement for funds on bottomry..... 25
 84. Inventories of vessels, cargo, provisions, and stores, or either..... 25
 85. Estimate of repairs of vessel..... 25
 86. Advertisement of sale of vessel, cargo, provisions, and stores, or either 25
 87. Letter of master notifying consul of sale of vessel, cargo, provisions, and stores, or either..... 25
 88. Of master notifying auctioneer of sale of vessel, cargo, provisions, and stores, or either..... 25
 89. Accounts of sale of vessel, cargo, provisions, and stores, or either... 25
 90. Calls of survey on vessel, hatches, cargoes, provisions, and stores, or either..... 25
 91. Warrants of survey on vessels, hatches, cargoes, provisions, and stores, or either..... 25
 92. Reports of survey on vessels, hatches, cargoes, provisions, and stores, or either..... 25
 93. For filing any other document prepared in or out of the consulate... 25

MISCELLANEOUS SERVICES.

94. For the indorsement on the bill of health required by Rule 3 of Rules and Regulations of the National Board of Health, and for the *visa* required by Rule 12 to be accounted for to the Board of Health.... 50
 95. For attending an appraisalment of goods or effects, daily..... 5 00
 96. For attending valuation of goods, for every day's attendance during which the valuation continues..... 5 00
 97. For attending sale of goods, for every day's attendance during which the sale continues..... 5 00
 98. For attending sale of vessel, when required..... 5 00
 99. For attendance at a shipwreck, or for the purpose of assisting a ship in distress, or of saving wrecked goods or property, over and above traveling expenses, a per diem of five dollars, whenever the consul's interposition is required by the parties interested..... 5 00
 100. For consul's seal and signature to clearance from custom-house authorities..... 2 00
 101. For clearance when issued by the consul, as at free ports..... 2 00
 102. For entry of result of examination in vessel's log-book..... 2 00
 103. Agreement of master to give increased wages..... 1 00
 104. For issuing, preparing, and executing the receipt for two thirds extra wages; the waiver of two thirds extra wages; complaint of crew of bad quality or insufficient quantity of provisions or water; affidavit or certificate of attending physician; receipt for effects of deceased seamen.....No fee.

SEALING CARS COMING FROM CANADA.

105. For each manifest, with the consul's certificate, and for sealing of each car, vessel, bale, barrel, box, or package..... 25

COPIES.*

106. For the first hundred words, fifty cents; and for every additional hundred words, or less, twenty-five cents.

Consular Receipts.

178. It is the duty of all owners, agents, consignees, masters, and commanders of vessels, to whom any receipt for fees is given by any consular officer, to furnish a copy thereof to the collector of the district in which such vessels shall first arrive on their return to the United States, and the collector must forward such copies to the Secretary of the Treasury. (Rev. Stat., § 4,213.) The design is evidently to place a check upon illegal exactions. It is, therefore, the interest, as well as the duty, of masters and others to observe this law.

Limitation of Importations to Vessels of Thirty Tons.

179. No merchandise of foreign growth or manufacture, subject to the payment of duties, can be lawfully brought into the United States from any foreign port otherwise than by sea, nor in any vessel of less than thirty tons, custom-house measurement, except into certain districts on the northern, northwestern, and western inland frontiers of the United States, adjoining to the Dominion of Canada, or into the districts adjacent to Mexico, under penalty of the forfeiture of the vessels and the merchandise. (Rev. Stat., § 3,095.)

*Custom-House Fees.***180.** Clearance coastwise.

For certifying manifest and granting permit for licensed vessel to proceed, if of less than 50 tons (§ 4,381):.....	\$ 25
If of 50 tons or more (§ 4,382).....	50
For certifying manifest and granting permit for registered vessel to proceed (§ 4,381).....	1 50
For receiving manifest and granting permit for vessel not of the United States to proceed..... (Decision 3,815, § 4,381)...	2 00
For permit to vessel under fishing license, to touch and trade	25

181. Clearance on northerly inland frontiers.

For certifying manifest and granting permit for vessel to proceed, if under 50 tons (§ 4,382)	25
If of 50 tons or more (§ 4,382).....	50

* When parties have a right to call for copies, consular officers must make them at this rate. The fee for the copies is not an official fee to be accounted for.

For certifying manifest and granting permit for vessel laden with cargo to proceed to another district, where there is no custom-house, if under 50 tons (§ 4,882).....	\$ 25
If of 50 tons or more (§ 4,882).....	50
For clearance direct to foreign port (§ 4,882).....	50
Taking bond officially, unless otherwise provided for (§ 3,882).....	50

182. Clearance by sea.

For clearance of a vessel of 100 tons or more (§ 2,654).....	2 50
If of less than 100 tons.....	1 50
Bond for crew.....	40
Bill of health.....	20
Certificates and jurats, each	20

183. Entrance coastwise.

For receiving manifest and granting permit on arrival of licensed vessel, if under 50 tons (§ 4,381).....	25
If of 50 tons or more.....	50
For receiving manifest and granting permit registered vessel (§ 4,381).....	1 00
For receiving manifest, etc., vessel not of the United States (Decision 3,815, § 4,381).....	2 00

184. Entrance on northerly inland frontiers.

For receiving manifest, even if the vessel touched foreign (§ 4,382):	
Vessel under 50 tons.....	25
Vessel of 50 tons or more.....	50
For entrance direct from foreign port (§ 4,382).....	50
For entrance in one district from an adjacent district <i>via</i> foreign port.	
No fee.....	
For post entry.....	2 00
For permits, each.....	20
For bond taken officially, not otherwise provided for.....	50

185. Entrance by sea.

For entrance fee by sea of any vessel of 100 tons (§ 2,654).....	2 50
Of less than 100 tons.....	1 50
For post entry, i. e., addition to manifest (§ 2,654).....	2 00
For permits, each (§ 2,654).....	20
For bond, not otherwise declared (§ 2,654).....	40
For certificates and jurats, each.....	20
For surveyor's services on vessel, 100 tons dutiable cargo (§ 4,186).....	3 00
" " " under 100 " " 	1 50
" " " any vessel, free cargo " 	67
" measuring vessel:	
Each transverse section under tonnage deck.....	1 50
Each between decks above tonnage deck.....	3 00
Each poop, etc.....	1 50

Refusal of Clearance until Payment of Fine.

186. On the 8th of February, 1881, Congress passed an act declaring that no vessel used as a common carrier should be subject to seizure or forfeiture under the provisions of title thirty-four of the Revised Statutes, unless it appear that the owner or master at the time of the alleged illegal act was a consenting part, or privy thereto.

Under this Statute the Treasury Department has held that although forfeiture and seizure in aid thereof are thus limited, yet clearance for the vessel may still be refused pending the legal determination of the liability of owner or master to a fine under section 2,809, or until the entering into a satisfactory stipulation. (Decision 4,782, February 21, 1881.)

A P P E N D I X.

Rules of Construction.

Rev. Stat., § 1. In determining the meaning of the Revised Statutes, or of any act or resolution of Congress passed subsequent to February twenty-fifth, eighteen hundred and seventy-one, words importing the singular number may extend and be applied to several persons or things; words importing the plural number may include the singular; words importing the masculine gender may be applied to females; the words insane person and lunatic shall include every idiot, non-compos, lunatic, and insane person; the word person may extend and be applied to partnerships and corporations, and the reference to any officer shall include any person authorized by law to perform the duties of such office, unless the context shows that such words were intended to be used in a more limited sense; and a requirement of an oath shall be deemed complied with by making affirmation in judicial form.

Definition of Vessel.

Rev. Stat., § 3. The word vessel includes every description of water-craft or other artificial contrivance used, or capable of being used, as a means of transportation on water.

Definition of Vehicle.

Rev. Stat., § 4. The word vehicle includes every description of carriage or other artificial contrivance used, or capable of being used, as a means of transportation on land.

Definition of Company or Association.

Rev. Stat., § 5. The word company or association, when used in reference to a corporation, shall be deemed to embrace the words successors and assigns of such company or association, in like manner as if these last named words, or words of similar import, were expressed.

Definition of Seal.

Rev. Stat., § 6. In all cases where a seal is necessary by law to any commission, process, or other instrument provided for by the laws of Congress, it shall be lawful to affix the proper seal by making an impression therewith directly on the paper to which such seal is necessary, which shall be as valid as if made on wax or other adhesive substance.

Prohibited Ownership of Sea Vessel.

Rev. Stat., § 243. No person appointed to the office of Secretary of the Treasury, or First Comptroller, or First Auditor, or Treasurer, or Register, shall directly or indirectly be concerned or interested in carrying on the business of trade or commerce, or be owner in whole or in part of any sea vessel, or purchase by himself or another in trust for him, any public lands or other public property, or be concerned in the purchase or disposal of any public securities of any state, or of the United States, or take or apply to his own use any emolument or gain for negotiating or transacting any business in the Treasury Department other than what shall be allowed by law; and every person who offends against any of the prohibitions of this section shall be deemed guilty of a high misdemeanor and forfeit to the United States the penalty of three thousand dollars, and shall upon conviction be removed from office, and for ever thereafter be incapable of holding any office under the United States; and if any other person than a public prosecutor shall give information of any such offense, upon which a prosecution and conviction shall be had, one half of the aforesaid penalty of three thousand dollars, when recovered, shall be for the use of the person giving such information.

Power to Discontinue Ports of Delivery.

Rev. Stat., § 253. The Secretary of the Treasury may discontinue all ports of delivery, the revenue received at which does not amount to the sum of ten thousand dollars a year.

Shippers' Manifests.

Rev. Stat., § 387, Fifth. Before a clearance shall be granted for any vessel bound to a foreign place, the collector shall require the owners, shippers, or consignors of the cargo to deliver to the collector manifests of the cargo, or of the parts thereof shipped by them respectively, which manifests shall specify the kinds and quantities of the articles shipped by them respectively, and the value of the total quantity of each kind of articles; and state that such manifest contains a full, just, and true account of all articles laden on board of such vessel by the owners, shippers, or consignors respectively, and that the values of such articles are truly stated, according to their actual cost, or the values which they truly bear at the port and time of exportation. And the collector shall also require the master of the vessel, and the owners, shippers, and consignors of the cargo, to state in writing, to the collector, the foreign place or country in which such cargo is truly intended to be landed. The manifests and statements hereby required shall be verified by the oath of the person by whom they are respectively made and subscribed.

Registers, etc., may be Retained by Consuls.

Rev. Stat., § 1,718. Whenever any master or commander of a vessel of the United States has occasion for any consular or other official service, which any consular officer of the United States is authorized by law or usage officially to perform, and for which any fees are allowed by the rates or tariffs of fees, he shall apply to the consular officer, at the consulate or commercial agency where such service is required, to perform such service, and shall pay to such officer the fees allowed for such service by the rates or tariffs of fees. And every such master or commander shall be liable to the United States for the amount of the fees lawfully chargeable for such services when actually performed.

All consular officers are authorized and required to retain in their possession all the papers of such vessels, which shall be deposited with them as directed by law, till payment shall be made of all demands and wages on account of such vessels.

President may Prescribe Consular Fees.

Rev. Stat., § 1,745. The President is authorized to prescribe, from time to time, the rates or tariffs of fees to be charged for official services, and to designate what shall be regarded as official services, besides such as are expressly declared by law, in the business of the several legations, consulates, and commercial agencies, and to adapt the same, by such differences as may be necessary or proper, to each legation, consulate, or commercial agency; and it shall be the duty of all officers and persons connected with such legations, consulates, or commercial agencies, to collect for such official services such and only such fees as may be prescribed for their respective legations, consulates, and commercial agencies, and such rates or tariffs shall be reported annually to Congress.

Consuls to Collect Fees in Coin.

Rev. Stat., § 1,746. All fees collected by diplomatic and consular officers for and in behalf of the United States shall be collected in the coin of the United States, or at its representative value in exchange.

Vessels Laden with Live-Oak.

Rev. Stat., § 2,463. It shall be the duty of all collectors of the customs within the States of Alabama, Mississippi, Louisiana, and Florida, before allowing a clearance to any vessel laden in whole or in part with live-oak timber, to ascertain satisfactorily that such timber was cut from private lands, or, if from public ones, by consent of the Navy Department. . . .

Non-Importation of Neat Cattle.

Rev. Stat. § 2,493. The importation of neat cattle and the hides of neat cattle from any foreign country into the United States is prohibited; *Provided*, That the operation of this section shall be suspended as to any foreign country or countries, or any parts of such country or countries, whenever the Secretary of the Treasury shall officially determine, and give public notice thereof, that such importation will not tend to the introduction or spread of contagious or infectious diseases among the cattle of the United States; and the Secretary of the Treasury is hereby authorized and empowered, and it shall be his duty, to make all necessary orders and regulations to carry this law into effect, and to suspend the same as therein provided, and to send copies thereof to the proper officers in the United States, and to such officers or agents of the United States in foreign countries as he shall judge necessary.

Rev. Stat., § 2,494. The President of the United States, whenever in his judgment the importation of neat cattle and the hides of neat cattle may be made without danger of the introduction or spread of contagious or infectious disease among the cattle of the United States, may, by proclamation, declare the provisions of the preceding section to be inoperative, and the same shall be afterward inoperative and of no effect from and after thirty days from the date of said proclamation.

Rev. Stat., § 2,495. Any person convicted of a willful violation of any of the

provisions of the two preceding sections shall be fined not exceeding five hundred dollars, or imprisoned not exceeding one year, or both, in the discretion of the court.

Restrictions upon Vessels on Non-Treaty Powers.

Rev. Stat., § 2,497. No goods, wares, or merchandise, unless in cases provided for by treaty, shall be imported into the United States from any foreign port or place, except in vessels of the United States, or in such foreign vessels as truly and wholly belong to the citizens or subjects of that country of which the goods are the growth, production, or manufacture; or from which such goods, wares, or merchandise can only be, or most usually are, first shipped for transportation. All goods, wares, or merchandise imported contrary to this section, and the vessel wherein the same shall be imported, together with her cargo, tackle, apparel, and furniture, shall be forfeited to the United States; and such goods, wares, or merchandise, ship, or vessel, and cargo shall be liable to be seized, prosecuted, and condemned, in like manner, and under the same regulations, restrictions, and provisions as have been heretofore established for the recovery, collection, distribution, and remission of forfeitures to the United States by the several revenue laws.

Rev. Stat., § 2,498. The preceding section shall not apply to vessels or goods, wares or merchandise, imported in vessels of a foreign nation which does not maintain a similar regulation against vessels of the United States.

Ten Per Centum Duty on Merchandise produced East of the Cape of Good Hope, if Imported from Places West of that Cape.

Rev. Stat., § 2,501. There shall be levied, collected, and paid on all goods, wares, and merchandise of the growth or produce of the countries east of the Cape of Good Hope (except wool, raw cotton, and raw silk, as reeled from the cocoon, or not further advanced than tram, thrown, or organzine), when imported from places west of the Cape of Good Hope, a duty of ten per centum ad valorem in addition to the duties imposed on any such article when imported directly from the place or places of their growth or production.

Discriminating Duty of Ten Per Centum on Imports in Vessels of Non-Privileged Powers.

Rev. Stat., § 2,502. A discriminating duty of ten per centum ad valorem, in addition to the duties imposed by law, shall be levied, collected, and paid on all goods, wares, and merchandise which shall be imported on vessels not of the United States; but this discriminating duty shall not apply to goods, wares, and merchandise which shall be imported in vessels not of the United States, entitled, by treaty or any act of Congress, to be entered in the ports of the United States on payment of the same duties as shall then be paid on goods, wares, and merchandise imported in vessels of the United States.

Merchandise Sunk and Abandoned.

Rev. Stat., § 2,507. Whenever any vessel laden with merchandise in whole or in part subject to duty has been sunk in any river, harbor, bay, or waters subject to the jurisdiction of the United States, and within its limits, for the period of two years, and is abandoned by the owner thereof, any person who may raise such vessel shall be permitted to bring any merchandise recovered therefrom

into the port nearest the place where such vessel was so raised, free from the payment of any duty thereupon, and without being obliged to enter the same at the custom-house; but under such regulations as the Secretary of the Treasury shall, from time to time, prescribe.

Material for Construction of Vessels Free.

Rev. Stat., § 2,513. All lumber, timber, hemp, manilla, and iron and steel rods, bars, spikes, nails, and bolts, and copper and composition metal, which may be necessary for the construction and equipment of vessels, built in the United States for the purpose of being employed in the foreign trade, including the trade between the Atlantic and Pacific ports of the United States, and finished after the sixth day of June, eighteen hundred and seventy-two, may be imported in bond, under such regulations as the Secretary of the Treasury may prescribe; and upon proof that such materials have been used for such purpose, no duties shall be paid thereon. But vessels receiving the benefit of this section shall not be allowed to engage in the coastwise trade of the United States more than two months in any one year, except upon the payment to the United States of the duties on which a rebate is herein allowed.

Material for Repair of Vessels Free.

Rev. Stat., § 2,514. All articles of foreign production needed for the repair of American vessels engaged exclusively in foreign trade may be withdrawn from bonded warehouses free of duty, under such regulations as the Secretary of the Treasury may prescribe.

Limitation of Seizure of Vessels under Title XXXIV.

An act to amend the law relative to the seizure and forfeiture of vessels for breach of the revenue laws. Approved February 8, 1881.

That no vessel used by any person or corporation, as common carriers, in the transaction of their business as such common carriers, shall be subject to seizure or forfeiture by force of the provisions of title Thirty-four of the Revised Statutes of the United States, unless it shall appear that the owner or master of such vessel, at the time of the alleged illegal act, was a consenting party or privy thereto.

[Under this statute the Treasury Department has held that in it there is no prohibition as to the detention or refusal of clearance to a vessel, pending the legal determination of the liability of either owner or master to a fine under Section 2,809, Revised Statutes, or until a satisfactory stipulation shall be entered into. Decision 4,782, February 21, 1881.]

Collection Districts, Ports.

Rev. Stat., § 2,517. There shall be in the State of Maine fourteen collection districts, as follows:

1. The district of Aroostook: to comprise the county of Aroostook as bounded on the twenty-second day of February, eighteen hundred and sixty-nine, *excepting those towns, plantations, and townships lying on the line of the European and North American Railway*, in which Houlton shall be the only port of entry. [As amended by Act February 17, 1881.]

2. The district of Passamaquoddy, in which Eastport shall be a port of entry and delivery, and the towns of Calais, Pembroke, and Robbinston ports of delivery.

3. The district of Machias, in which Machias shall be the port of entry.

4. The district of Frenchman's Bay, in which Ellsworth shall be the port of entry, and Union River the port of delivery.

5. The district of Castine, in which Castine shall be the port of entry, and Blue Hill, Deer Island, and Bucksport ports of delivery.

6. The district of Bangor: to comprise the counties of Penobscot and Piscataquis, and the town of Frankfort, in the county of Waldo, as [they were] bounded on the third day of March, eighteen hundred and forty-seven, *and the several towns, plantations, and townships in the counties of Aroostook and Washington, lying on the line of the European and North American Railway*, in which Bangor shall be the port of entry and delivery, and Frankfort and Hampden ports of delivery. [As amended by Act February 17, 1881.]

7. The district of Belfast: to comprise all the ports and harbors on the western shore of the Penobscot Bay and River from the town of Frankfort, as bounded on the third day of March, eighteen hundred and forty-seven, to and including the town of Camden, as bounded on the twentieth day of April, eighteen hundred and eighteen, and the towns of Vinalhaven, North Haven, and Isleborough, as bounded on the third day of March, eighteen hundred and forty-nine, in which Belfast shall be the port of entry, and Prospect, Vinalhaven, North Haven, and Camden ports of delivery.

8. The district of Waldoborough: to comprise all the waters and shores from the town of Camden, as bounded on the twentieth day of April, eighteen hundred and eighteen, to the middle of Damariscotta River; in which Waldoborough shall be the port of entry, and Bristol, Nobleborough, Warren, Thomaston, Cushing, and St. George ports of delivery.

9. The district of Wiscasset; in which Wiscasset shall be the port of entry, and Booth Bay and Alna ports of delivery.

10. The district of Bath; in which Bath shall be the port of entry, and Hallowell, Pittston, Georgetown, Brunswick, and Bowdoinham are ports of delivery. [Gardiner and Richmond were added as ports of delivery, by Chap. cclxvi, June 20, 1878.]

11. The district of Portland and Falmouth; in which Portland shall be the port of entry, and North Yarmouth, Brunswick, Freeport, and Harpswell ports of delivery.

12. The district of Saco; in which Scarborough shall be a port of delivery.

13. The district of Kennebunk: to comprise the towns of Wells and Arundal, as they were bounded on the tenth day of May, eighteen hundred, Kennebunk and Kennebunk Port, and all the shores and waters thereof, in which Kennebunk shall be the port of entry, and Wells and Cape Porpoise, Kennebunk Port, ports of delivery.

14. The district of York: in which York shall be the port of entry.

Rev. Stat., § 2,518. There shall be in the collection districts in the State of Maine the following officers:

1. In the district of Aroostook, a collector, who shall reside at Houlton.

2. In the district of Passamaquoddy, a collector, who shall reside at Eastport, a deputy collector to reside at the port of Calais, and at Eastport a surveyor, to be called the Surveyor of Eastport and the district of Passamaquoddy.

3. In the district of Machias, a collector, who shall reside at Machias.
4. In the district of Frenchman's Bay, a collector, who shall reside at Ellsworth.
5. In the district of Castine, a collector, who shall reside at Castine.
6. In the district of Bangor, a collector, who shall reside at Bangor; [and] a deputy collector, who shall reside at Frankfort; and a deputy collector, who shall reside at Vanceboro. [As amended by Act February 17, 1881.]
7. In the district of Belfast, a collector, who shall reside at Belfast.
8. In the district of Waldoborough, a collector, who shall reside at Waldoborough.
9. In the district of Wiscasset, a collector, who shall reside at Wiscasset.
10. In the district of Bath, a collector, who shall reside at Bath.
11. In the district of Portland and Falmouth, a collector, who shall reside at Portland, not exceeding three deputy collectors, a surveyor, appraiser, and an assistant appraiser.
12. In the district of Saco, a collector, who may reside at Saco or Biddeford.
13. In the district of Kennebunk, a collector, who shall reside at Kennebunk.
14. In the district of York, a collector, who shall reside at York.

Rev. Stat., § 2,519. The collectors of the several districts within the State of Maine, for which no boundaries are prescribed by section 2,517, shall, from time to time, agree upon a divisional line between their respective districts, and transmit the same to the Commissioner of Customs; and such districts so agreed upon shall include all the waters, shores, and islands within the same, and all the lands adjoining to the provinces of New Brunswick and Quebec, within the State of Maine. In case of disagreement between any of the collectors concerning such divisional line, the President shall determine the same.

Rev. Stat., § 2,520. Vessels owned in whole or in part in the towns of Edgecomb and Newcastle, in Maine, having entered in due form of law at the port of Wiscasset, and taken on board an officer, shall be permitted to unlade in the parts of those towns which adjoin Sheepscot River.

Rev. Stat., § 2,521. The Secretary of the Treasury may authorize, under such regulations as he shall deem necessary, the deputy collector of customs at the port of Calais, in Maine, to enter and clear vessels, and to perform such other official acts as the Secretary shall think advisable.

Rev. Stat., § 2,522. There shall be in the State of New Hampshire one collection district, as follows: The district of Portsmouth; to comprise the State of New Hampshire, and the towns of Kittery and Berwick, in Maine, in which Portsmouth shall be the port of entry, and Newcastle, Dover, Exeter, Kittery, and Berwick ports of delivery.

Rev. Stat., § 2,523. There shall be in the district of Portsmouth a collector and a surveyor, who shall reside at Portsmouth.

Rev. Stat., § 2,524. Merchandise destined for either of the towns of Kittery or Berwick, in Maine, may be, at the option of the master of the vessel, entered, and permit for the delivery thereof obtained, either in the district of Portsmouth, in the State of New Hampshire, or in the district of York, in the State of Maine.

Rev. Stat., § 2,525. There shall be in the State of Vermont one collection district, as follows: The district of Vermont; to comprise all such waters and

shores of Lake Champlain, and the rivers connected therewith, as lie within the State of Vermont, and to extend along the northern boundary line of the State, adjoining the Dominion of Canada; in which Burlington shall be the port of entry; and the President may, if he deems it expedient, establish not exceeding two places as ports of delivery only.

Rev. Stat., § 2,526. There shall be in the district of Vermont a collector, who shall reside at Burlington, and, at the discretion of the President, two surveyors for such ports of delivery as shall be designated by him.

Rev. Stat., § 2,527. There shall be in the State of Massachusetts eleven collection districts, as follows:

1. The district of Newburyport: to comprise all the waters and shores from the State of New Hampshire to and including the town of Ipswich; in which Newburyport shall be the port of entry, and Amesbury, Salisbury, Haverhill, Newbury, and Ipswich ports of delivery.

2. The district of Gloucester: to comprise all the waters and shores in the towns of Gloucester and Manchester, as bounded on the second day of March, seventeen hundred and ninety-nine, and the town of Essex, as bounded on the seventh day of August, eighteen hundred and forty-eight; in which Gloucester shall be the port of entry, and Manchester a port of delivery.

3. The district of Salem and Beverly: to comprise all the waters and shores within the towns of Beverly, Salem, and Danvers, as bounded on the second day of March, seventeen hundred and ninety-nine; in which Salem shall be the port of entry, and Danvers a port of delivery.

4. The district of Marblehead: to comprise all the waters and shores within the towns of Marblehead and Lynn, as bounded on the second day of March, seventeen hundred and ninety-nine; in which Marblehead shall be the port of entry, and Lynn the port of delivery.

5. The district of Boston and Charlestown: to comprise all the waters and shores within the counties of Middlesex, Suffolk, and Norfolk, as bounded on the second day of March, seventeen hundred and ninety-nine; in which Boston shall be the port of entry, and Medford, Cohasset, Hingham, Weymouth, Cambridge, Roxbury, and Dorchester ports of delivery. And the town of Chelsea shall be attached to and made a part of the port of entry and collection district of Boston and Charlestown.

6. The district of Plymouth: to comprise all the waters and shores within the county of Plymouth, except the towns of Wareham and Rochester, as bounded on the second day of March, seventeen hundred and ninety-nine; in which Plymouth shall be the port of entry, and Scituate, Duxbury, Kingston, and Marshfield ports of delivery.

7. The district of Barnstable: to comprise all the waters and shores within the county of Barnstable, as bounded on the second day of March, seventeen hundred and ninety-nine; in which Barnstable shall be the port of entry, and Sandwich, Falmouth, Harwich, Wellfleet, Provincetown, and Chatham ports of delivery.

8. The district of Nantucket: to comprise the waters and shores of the island of Nantucket; in which Nantucket shall be the port of entry.

9. The district of Edgartown: to comprise all the waters and shores within the county of Dukes, as bounded on the second day of March, seventeen hundred and ninety-nine; in which Edgartown shall be the port of entry.

10. The district of New Bedford: to comprise all the waters and shores within the towns of New Bedford, Dartmouth, Westport, Rochester, and Wareham, together with all the islands within the county of Bristol, as bounded on the second day of March, seventeen hundred and ninety-nine; in which New Bedford shall be the port of entry, and Westport, Rochester, and Wareham ports of delivery.

11. The district of Fall River: to comprise all the waters and shores on Taunton River, and in the town of Rehoboth, as bounded on the second day of March, seventeen hundred and ninety-nine, and all that part of the town of Tiverton, in Rhode Island, north of the south line of the farm of William Slade, and of the farm of the heirs of Boylston Brayton, as bounded on the ninth day of August, eighteen hundred and forty-two, to Watuppa Pond, and by that pond to the south line of the State of Massachusetts, and the waters and shores adjoining thereto; in which Fall River shall be the port of entry and delivery, and Swansea, Somerset, Freetown, Berkley, and Taunton ports of delivery.

Rev. Stat., § 2,528. Sippican and Mattapoisset Harbors, within the township of Rochester, in Massachusetts, shall be known as ports under those names, within the collection district of New Bedford, and the respective inhabitants are authorized to describe, as the law requires, their vessels as belonging to those places respectively, instead of Rochester.

Rev. Stat., § 2,529. There shall be in the collection districts in the State of Massachusetts the following officers:

1. In the district of Newburyport, a collector and a surveyor, who shall reside at Newburyport.

2. In the district of Gloucester, a collector and a surveyor, who shall reside at Gloucester.

3. In the districts of Salem and Beverly, a collector and a surveyor, who shall reside at Salem.

4. In the district of Marblehead, a collector, who shall reside at Marblehead.

5. In the districts of Boston and Charlestown, a collector, a naval officer, a surveyor, who shall reside at Boston; two appraisers, and two assistant appraisers, a special examiner of drugs, medicines, and chemicals; and the Secretary of the Treasury may appoint an inspector of customs for the port of Chelsea.

6. In the district of Plymouth, a collector, who shall reside at Plymouth.

7. In the district of Barnstable, a collector, who shall reside at Barnstable.

8. In the district of Nantucket, a collector, who shall reside at Nantucket.

9. In the district of Edgartown, a collector, who shall reside at Edgartown.

10. In the district of New Bedford, a collector, who shall reside at New Bedford.

11. In the district of Fall River, a collector, who shall reside at Fall River.

Rev. Stat., § 2,530. The clerks and other persons employed in the appraiser's office at the port of Boston shall be appointed by the principal appraiser, and their number and compensation shall be fixed by the Secretary of the Treasury.

Rev. Stat., § 2,531. There shall be in the State of Rhode Island three collection districts, as follows:

1. The district of Newport: to comprise all the waters and shores from the east line of the town of Westerly, as bounded on the third day of August, eighteen hundred and forty-two, along the sea-coast, and northward, up the

Narragansett Bay, as far as the southerly boundary of Kent County, as the same existed on the twenty-ninth day of July, eighteen hundred and fifty, including the several towns, harbors, and landing places at Charleston, South Kingston, and North Kingston; and also the towns, harbors, and landing places of Tiverton and Little Compton, as bounded on the second day of March, seventeen hundred and ninety-nine, and all the towns, harbors, and landing places of the islands of Rhode Island, Jamestown, Prudence, New Shoreham, and every other island within the State, southward of a line running nearly a northeast course from the south end of Warwick Neck to the south end of Rumstick Point, at high-water mark; in which Newport shall be the port of entry, and North Kingston and Tiverton ports of delivery.

2. The district of Bristol and Warren: to comprise the towns of Bristol, Warren, and Barrington, and all the waters and shores around the same, within a line beginning at the middle of the bay, between Mount Hope and Common Fence Point, running southwesterly through the middle of Bristol Ferry, and continuing such course until it strikes a point of equal distance from Rhode Island to Prudence Island, from thence northwardly on a straight line to the westernmost part of Nahant Point, and from thence to the western shore of Bullock's Point; in which Bristol and Warren shall be the port of entry, and Barrington a port of delivery.

8. The district of Providence: to comprise all the waters and shores northward of a line running nearly a northeast course from the south end of Warwick Neck to the south end of Rumstick Point at high-water mark, and so much of the waters of the Narragansett Bay, and the shores in the State of Rhode Island and Providence Plantations, as are within the county of Kent, including the port of East Greenwich, and the part of Warwick lying upon Greenwich Bay; in which Providence shall be the port of entry, and Pawtuxet and East Greenwich ports of delivery.

Rev. Stat., § 2,532. There shall be in the collection districts in the State of Rhode Island the following officers:

1. In the district of Newport, a collector, who shall reside at Newport.
2. In the district of Bristol and Warren, a collector, who shall reside at Bristol.
3. In the district of Providence, a collector and an appraiser, who shall reside at Providence.

Rev. Stat., § 2,533. There shall be in the State of Connecticut five collection districts, as follows:

1. The district of Stonington: to comprise all the waters and shores from the west line of Mystic River, including the villages of Portersville and Noank, in the town of Groton, to the east line of Pawcatuck River, including the town of Westerly, in Rhode Island, as bounded on the third day of August, eighteen hundred and forty-two; in which Stonington shall be the port of entry, and Pawcatuck River, in the town of Westerly, a port of delivery.

2. The district of New London: to comprise all the waters and shores from the west line of Mystic River to and including the town of Lyme, as bounded on the tenth day of May, eighteen hundred; in which New London shall be the port of entry, and Norwich, Groton, and Lyme ports of delivery.

3. The district of Middletown: to comprise the waters and shores of the towns of Saybrook, Killingsworth, Haddam, East Haddam, Middletown, Chat-

ham, Weathersfield, Glastenbury, Hartford, East Hartford, Windsor, and East Windsor, as bounded on the second day of March, seventeen hundred and ninety-nine; in which Middletown shall be the port of entry, and Saybrook, Killingsworth, Haddam, East Haddam, Middletown, Chatham, Weathersfield, Glastenbury, Hartford, East Hartford, Windsor, and East Windsor, ports of delivery.

4. The district of New Haven: to comprise the waters and shores from the west line of the district of Middletown, westerly to the Housatonic River; in which New Haven shall be the port of entry, and Guilford, Branford, Milford, and Derby ports of delivery.

5. The district of Fairfield: to comprise all the waters and shores in the State of Connecticut west of the district of New Haven; in which Fairfield shall be the port of entry, and Norwalk, Stratford, Stamford, and Greenwich ports of delivery.

Rev. Stat., § 2,534. There shall be in the collection districts of the State of Connecticut the following officers:

1. In the district of Stonington, a collector, who shall reside at Stonington.
2. In the district of New London, a collector, who shall reside at New London.
3. In the district of Middletown, a collector, who shall reside at Middletown.
4. In the district of New Haven, a collector, who shall reside at New Haven.
5. In the district of Fairfield, a collector, who may reside at Fairfield or Bridgeport.

Rev. Stat., § 2,535. There shall be in the State of New York ten collection districts, as follows:

1. The district of Sag Harbor: to comprise all the waters and shores within the two points of land called Oyster Pond Point and Montauk Point; in which Sag Harbor shall be the port of entry, and Greenport a port of delivery. (See §§ 2,536, 2,537).

2. The district of the City of New York: to comprise all the waters and shores of the State of New York, and of the counties of Hudson and Bergen, in the State of New Jersey, not included in other districts; in which New York shall be the port of entry, and New Windsor, Newburgh, Poughkeepsie, Esopus, Kinderhook, Albany, Hudson, Troy, Rhinebeck Landing, Cold Spring [Suffolk County], and Port Jefferson ports of delivery; and Jersey City a port of entry and delivery, with an assistant collector to act under the collector at New York. [See §§ 2,536, 2,538, 2,539, 2,540, 4,340, and 4,345. By Chap. xxix, January 29, 1875, Patchogue, on the south side of Long Island, was created a port of delivery, to have a surveyor to reside at that port, and to have power to enroll and license vessels to be employed in the coasting trade and fisheries. For the boundaries between this district and the district of Newark, New Jersey, see § 2,541, and Chap. cxii, February 28, 1879.]

3. The district of Champlain: to comprise all the waters and shores of Lake Champlain, and the rivers connected therewith within the State of New York, and to extend westwardly along the northern boundary line of the State to the river St. Lawrence; in which Plattsburgh shall be the port of entry, and Whitehall and Fort Covington ports of delivery.

4. The district of Oswegatchie: to comprise all the waters and shores of the river St. Lawrence within the State of New York, from the western boundary of the district of Champlain to the western boundary of the county of St. Law-

rence, as bounded on the second day of March, eighteen hundred and eleven; in which Ogdensburg shall be the port of entry.

5. The district of Cape Vincent: to comprise all the waters and shores of the river St. Lawrence, from the western boundary of the county of St. Lawrence, as bounded on the second day of March, eighteen hundred and eleven, and all the waters and shores of Lake Ontario, and the rivers and waters connected therewith, within the jurisdiction of the United States, and within the State of New York, to the western extremity of Hungry Bay; in which Cape Vincent shall be the port of entry.

6. The district of Oswego: to comprise all the waters and shores of Lake Ontario, and the rivers and waters connected therewith, within the jurisdiction of the United States, and within the State of New York, from the western extremity of Hungry Bay to the western extremity of Sodus Bay, including all the rivers and waters emptying into that bay; in which Oswego shall be the port of entry.

7. The district of Genesee: to comprise all the waters and shores of Lake Ontario, and the rivers and waters connected therewith, within the jurisdiction of the United States, and within the State of New York, from the western extremity of Sodus Bay, but excluding all the rivers and waters emptying into that bay, to the eastern extremity of Oak Orchard Creek; in which the river Genesee shall be the port of entry. [Rochester is now recognized as the port of entry.]

8. The district of Niagara: to comprise all the waters and shores of Lake Ontario and the river Niagara, and the rivers connected therewith, within the jurisdiction of the United States, and within the State of New York, from the eastern extremity of Oak Orchard Creek to the channel of Tonawanda Creek, in which Suspension Bridge shall be the port of entry.

9. The district of Buffalo Creek: to comprise all the waters and shores of Lake Erie or the river Niagara, within the State of New York, from Tonawanda Creek to the eastern shore of Cattaraugus Creek; in which Buffalo shall be the port of entry.

10. The district of Dunkirk: to comprise the waters and shores of the counties of Cattaraugus and Chautauqua, as bounded on the twenty-seventh day of July, eighteen hundred and fifty-four, and the harbors, rivers, and waters on the southern shore of Lake Erie, within the State of New York, west of and including Cattaraugus Creek and the shores on each side of that creek, and west along the shore and territory bordering on Lake Erie, to the Pennsylvania State line, and the islands in the lake contiguous thereto; in which Dunkirk shall be the port of entry, and Barcelona, Silver Creek, and Cattaraugus Creek ports of delivery.

Rev. Stat., § 2,536. There shall be in the collection districts of the State of New York the following offices:

1. In the district of Sag Harbor, a collector, who shall reside at Sag Harbor, and a surveyor, who shall reside at Greenport.

2. In the district of New York [should be of *the City of New York*—see § 2535], a collector, an assistant collector, a naval officer, a surveyor, one appraiser, and ten assistant appraisers, who shall reside at the port of New York; one assistant collector, who shall reside in Jersey City, and shall have power to enter and clear vessels in like manner as the collector at New York is authorized by law to do, and shall act in conformity to such instructions as he shall

from time to time receive from the collector of New York ; a surveyor, to act, also, as collector, who shall reside at Albany. A surveyor at each of the ports of Cold Spring, on the north side of Long Island, and Port Jefferson, who shall reside at their respective ports. [Also a surveyor, to reside at Patchogue, on the southerly side of Long Island. Chap. xxix, January 29, 1875. See § 2,535.]

3. In the district of Champlain, a collector, who shall reside at Plattsburgh ; a deputy collector, who shall reside at Rouse's Point ; a deputy collector, who shall reside at Whitehall ; and the President may appoint not exceeding two surveyors, who shall reside at such places as he may deem proper.

4. In the district of Oswegatchie, a collector, who shall reside at Ogdensburgh.

5. In the district of Cape Vincent, a collector, who shall reside at Cape Vincent.

6. In the district of Oswego, a collector, who shall reside at Oswego.

7. In the district of Genesee, a collector, who shall reside on the Genesee River. [The collector resides at Rochester.]

8. In the district of Niagara, a collector, who shall reside at Suspension Bridge.

9. In the district of Buffalo Creek, a collector, who shall reside at Buffalo, and an appraiser.

10. In the district of Dunkirk, a collector, who shall reside at Dunkirk ; and for each of the ports of Barcelona, Silver Creek, and Cattaraugus Creek, a deputy collector.

Rev. Stat., § 2,537. All cargoes chargeable with duties intended for delivery at the port of Greenport, in the State of New York, shall be entered, and the duties paid at the port of Sag Harbor, before permission shall be granted to discharge the same at Greenport.

Rev. Stat., § 2,538. The Secretary of the Treasury may, on the nomination of the appraiser, appoint such number of examiners at the port of New York as the Secretary may in writing determine to be necessary, to aid each of the assistant appraisers in the examination, inspection, and appraisement of merchandise.

Rev. Stat., § 2,539. The Secretary of the Treasury shall also appoint, on the nomination of the appraiser at the port of New York, the clerks, verifiers, samplers, openers, packers, and messengers employed in the appraiser's office, or in any of the departments thereof, and shall limit and fix their number.

Rev. Stat., § 2,540. All merchandise chargeable with duties intended for delivery at the port of Cold Spring, on the north side of Long Island, in the State of New York, or at the port of Port Jefferson, in that State, shall be entered, and the duties paid at the port of New York, before permission shall be granted to discharge the same at Cold Spring or Port Jefferson.

Rev. Stat., § 2,541. There shall be in the State of New Jersey six collection districts, as follows :

1. The district of Newark : to comprise all the waters and shores of that part of the State of New Jersey lying north and east of Elizabeth and Staten Island, extending eastward as far as the mouth of the Kil van Kull, where it empties into the bay of New York ; including all the waters and shores of Newark Bay, and the rivers and bays tributary thereto, the northern shore of the strait or passage known as Kil van Kull, and all that part of the western shore

of the strait or passage known as Staten Island Sound, or Arthur Kill, which lies north of the northerly boundary line of the town of Rahway, as bounded on the twenty-second day of February, eighteen hundred and sixty-nine; in which Newark shall be the port of entry, and Elizabeth a port of delivery. [Chap. cxii, February 28, 1879. That the collection district of the *port* (should be *city*—see § 2,535) of New York shall hereafter include, in addition to the other territory embraced therein, all that part of the county of Hudson, in the State of New Jersey, and the waters adjacent, now within the collection district of Newark, New Jersey, east of Newark Bay and the Hackensack River.]

2. The district of Perth Amboy: to comprise all the waters and shores within the State of New Jersey from the northern boundary line of the town of Rahway, as bounded on the twenty-second day of February, eighteen hundred and sixty-nine, to Barnegat Inlet; in which Perth Amboy shall be the port of entry, and New Brunswick and Middletown Point ports of delivery.

3. The district of Little Egg Harbor: to comprise all the waters and shores from Barnegat Inlet to Brigantine Inlet, including both; in which Tuckerton shall be the port of entry.

4. The district of Great Egg Harbor: to comprise all the waters and shores of the river of Great Egg Harbor, and along the sea-coast from Brigantine Inlet to Cape May.

5. The district of Bridgeton: to comprise the waters and shores of the Delaware Bay and river within the State of New Jersey, from Cape May to, and including, the county of Gloucester, as bounded on the second day of March, seventeen hundred and ninety-nine, except the port of Camden; in which Bridgeton shall be the port of entry, and Salem and Port Elizabeth, on Maurice River, ports of delivery.

6. The district of Burlington: to comprise all the waters and shores of the Delaware River within the State of New Jersey northward of the northern boundary of the county of Gloucester, as bounded on the second day of March, seventeen hundred and ninety-nine; in which Burlington shall be the port of entry, and Lamberton the port of delivery. [Trenton is now recognized as the port of entry.]

Rev. Stat., § 2,542. There shall be in the collection districts of the State of New Jersey the following officers:

1. In the district of Newark, a collector, who shall reside at Newark.

2. In the district of Perth Amboy, a collector, who shall reside at Perth Amboy.

3. In the district of Little Egg Harbor, a collector, who shall reside at Tuckerton.

4. In the district of Great Egg Harbor, a collector, who shall reside at such place within the district as may be designated by the Secretary of the Treasury. [Somers Point has been designated.]

5. In the district of Bridgeton, a collector, who shall reside at Bridgeton.

6. In the district of Burlington, a collector, who shall reside at Lamberton. [Trenton.]

Rev. Stat., § 2,543. There shall be in the State of Pennsylvania three collection districts, as follows:

1. The district of Philadelphia: to comprise all the waters and shores of the Delaware River, and the rivers and waters connected therewith, within the

State of Pennsylvania, and the port of Camden, in New Jersey; in which Philadelphia shall be the port of entry, and Camden and Chester ports of delivery.

2. The district of Erie: to comprise all the waters and shores of Lake Erie, and the rivers and waters connected therewith, within the jurisdiction of the United States and within the State of Pennsylvania; in which Erie shall be the port of entry.

3. The district of Pittsburgh; to comprise all the waters and shores of the Ohio River, and the rivers and waters connected therewith, within the State of Pennsylvania; in which Pittsburgh shall be the port of entry.

Rev. Stat., § 2,544. There shall be in the collection districts of the State of Pennsylvania the following officers:

1. In the district of Philadelphia, a collector, a naval officer, a surveyor, two appraisers, and two assistant appraisers, who shall reside at the port of Philadelphia; a special examiner of drugs, medicines, and chemicals; an assistant collector, who shall reside at Camden, and shall have power to enter and clear vessels in like manner as the collector of Philadelphia, but shall act in conformity to such instructions and regulations as he shall from time to time receive from the collector of Philadelphia; and an inspector, who shall reside at Chester, and have the powers of a deputy collector.

2. In the district of Erie, a collector, who shall reside at Erie.

3. In the district of Pittsburgh, a surveyor and an appraiser.

Rev. Stat., § 2,545. The clerks and other persons employed in the appraiser's office at the port of Philadelphia shall be appointed by the principal appraisers, and their number and compensation shall be fixed by the Secretary of the Treasury.

Rev. Stat., § 2,546. There shall be in the State of Delaware one collection District, as follows:

The district of Delaware: to comprise the State of Delaware, in which Wilmington shall be the port of entry, and New Castle, Port Penn, and Delaware City ports of delivery. [Chap. xiii, January 24, 1880. That the Secretary of the Treasury be and is hereby authorized to appoint a deputy collector or other suitable officer at Seaford, Sussex County, Delaware, who shall have power to enter and clear all vessels coming to that port. . . .]

Rev. Stat., § 2,547. There shall be in the collection district of Delaware a collector, who shall reside at Wilmington.

Rev. Stat., § 2,548. There shall be in the State of Maryland three collection districts, as follows:

1. The Eastern district: to comprise all the waters and shores on the east side of Chesapeake Bay, from the north line of the State of Virginia to the south side of Great Choptank River; in which Crisfield shall be the port of entry, and Salisbury a port of delivery.

2. The district of Baltimore: to comprise all the waters and shores on the east side of Chesapeake Bay, north of and including the south side of Great Choptank River, and all the waters and shores on the west side of Chesapeake Bay, north of the mouth of Magothy River; in which Baltimore shall be the port of entry, and Cambridge, Easton, and Havre de Grace ports of delivery.

3. The district of Annapolis; to comprise all the waters and shores on the east side of Chesapeake Bay south of the mouth of Magothy River to Point

Lookout, and all the waters and shores of the Potomac River within the State of Maryland from Point Lookout to and including Pomonkey Creek; in which Annapolis shall be the port of entry, and Benedict, Lower Marlborough, Town Creek, Silvey's Landing, Cedar Point, Llewellynburgh, Nottingham, and St. Mary's ports of delivery.

Rev. Stat., § 2,549. There shall be in the collection districts in the State of Maryland the following officers:

1. In the Eastern district, a collector, who shall reside at Crisfield.
2. In the district of Baltimore, a collector, a naval officer, a surveyor, two appraisers, and a special examiner of drugs, medicines, and chemicals, who shall reside at the port of Baltimore; and the Secretary of the Treasury may appoint a deputy collector, who shall reside at Chesapeake City. (See § 4,843.)
3. In the district of Annapolis, a collector, who shall reside at Annapolis; a surveyor who shall reside at Town Creek, a surveyor who shall reside at St. Mary's, and a surveyor who shall reside at Llewellynburgh.

Rev. Stat., § 2,550. There shall be in the District of Columbia one collection district, as follows:

The district of Georgetown: to comprise all the waters and shores of the Potomac River within the State of Maryland and the District of Columbia from Pomonkey Creek to the head of the navigable waters of that river; in which Georgetown shall be the port of entry.

Rev. Stat., § 2,551. There shall be in the district of Georgetown a collector.

Rev. Stat., § 2,552. There shall be in the State of Virginia seven collection districts, as follows:

1. The district of Cherry Stone: to comprise all the waters and shores of the sea-coast of the State of Maryland from the south line of the State of Delaware to the north line of the State of Virginia, and the waters, shores, bays, harbors, and inlets within the counties of Northampton and Accomac, in Virginia, as bounded on the second day of March, seventeen hundred and ninety-nine; in which Cherry Stone shall be the port of entry, and Snow Hill and Folly Landing ports of delivery. [Eastville is now recognized as the port of entry.]
2. The district of Alexandria: to comprise all the waters and shores of the Potomac River within the State of Virginia from the head of the navigable waters of that river to Boyd's Hole; in which Alexandria shall be the port of entry, and Potomac a port of delivery.
3. The district of Tappahannock: to comprise all the waters and shores of the Potomac River within the State of Virginia from Boyd's Hole to Smith's Point, at the mouth of that river, and on the western shore of the Chesapeake Bay between Smith's Point and the point forming the south shore of the mouth of the Rappahannock River, and the Rappahannock River to its highest tide-water; in which Tappahannock shall be the port of entry, and Urbana, Port Royal, Fredericksburgh, and Yeocomico ports of delivery.
4. The district of Yorktown: to comprise all the waters and shores from the point forming the south shore of the mouth of Rappahannock River, and from the mouth of York River to Cappahoosie; in which Yorktown shall be the port of entry, and East River and Cumberland ports of delivery. [As amended by Chap. cvi, May 27, 1880.]
5. The district of Norfolk and Portsmouth: to comprise all the waters and

shores within the State of Virginia southward of the district of Yorktown, not included in the districts of Petersburg and Richmond, in which Norfolk and Portsmouth shall be the sole port of entry, and Suffolk, Smithfield, and Hampton ports of delivery.

6. The district of Petersburg : to comprise all the waters and shores of the James River, from the junction of the Chickahominy River on the north side, and from Hood's on the south side, to the junction of the James and Appomattox Rivers, and the Chickahominy and Appomattox Rivers to their highest tide-waters, in which the port of entry shall extend from Petersburg to City Point. (See §§ 2,553, 2,554.)

7. The district of Richmond : to comprise all the waters and shores of the James River from its junction with the Appomattox River to the highest tide-waters of the James River, and all the waters and shores of the York River from Cappaheosie to its head, and the waters and shores of the Pamunkey and Mataponi Rivers to the highest tide-waters in said rivers; in which the port of entry shall extend from Richmond and Manchester to Bermuda Hundred, and to West Point, the head of York River. [As amended by Chap. cvi, May 27, 1880. See §§ 2,553, 2,554.]

Rev. Stat., § 2,553. There shall be in the collection districts in the State of Virginia the following officers:

1. In the district of Cherry Stone, a collector, who shall reside at Cherry Stone; and the Secretary of the Treasury may appoint a deputy collector, who shall reside on Chincoteague Island, in Virginia, and shall exercise such powers as the Secretary of the Treasury may prescribe in pursuance of law; and the President, if he deems it necessary, may appoint a surveyor, who shall reside at Folly Landing. [The office of the collector is now at Eastville.]

2. In the district of Alexandria, a collector and a surveyor, who shall reside at Alexandria, and a deputy collector, who shall reside at Potomac, and perform such duties as may be imposed upon him, in pursuance of law, by the Secretary of the Treasury.

3. In the district of Tappahannock, a collector, who shall reside at Tappahannock, a surveyor who shall reside at Urbana, a surveyor who shall reside at Port Royal, a surveyor who shall reside at Fredericksburgh, and a surveyor who shall reside at or near the mouth of the Rappahannock River, at such place as the President shall designate. [Carter's Creek seems to have been designated.]

4. In the district of Yorktown, a collector, who shall reside at Yorktown, and a surveyor, who shall reside at West Point.

5. In the district of Norfolk and Portsmouth, a collector, a surveyor, and an appraiser, who shall reside at Norfolk; and a surveyor, who shall reside at Suffolk; and a surveyor, who shall reside at Smithfield.

6. In the district of Petersburg, a collector and a surveyor, who shall reside at Petersburg.

7. In the district of Richmond, a collector and a surveyor, who shall reside at Richmond; a surveyor, who shall reside at Bermuda Hundred; and a deputy collector, who shall reside at West Point. [As amended by Chap. cvi, May 27, 1880.]

Rev. Stat., § 2,554. Any vessel owned by or consigned to any person in the collection district of Richmond, and which shall be loaded, in whole or in part, in the district of Petersburg, by such owner or consignee, may be cleared by the

collector of the district of Richmond, on application of the owner, consignee, or captain of such vessel.

Rev. Stat., § 2,555. There shall be in the State of North Carolina four collection districts, as follows:

1. The district of Albemarle: to comprise Albemarle, Currituck, and Croatan Sounds, and all the waters and shores adjacent to and flowing into those sounds south of the southern boundary line of the State of Virginia, together with that part of Pamlico Sound north of and including Loggerhead Inlet, and all the waters and shores appertaining thereto; in which Edenton shall be the port of entry.

2. The district of Pamlico: to comprise Pamlico Sound, and all the waters and shores adjacent to and flowing into that sound, not included in the district of Albemarle, and including the south line of Neuse River to the northern entrance of Core Sound; in which Newberne shall be the port of entry.

3. The district of Beaufort: to comprise all the waters and shores south of the district of Pamlico, and north of and including New River and inlet; in which Beaufort shall be the port of entry; but the Secretary of the Treasury may, if he deems it necessary, change the port of entry to Morehead City.

4. The district of Wilmington: to comprise all the waters and shores south of the district of Beaufort to the southern boundary of the State of North Carolina; in which Wilmington shall be the port of entry.

Rev. Stat., § 2,556. There shall be in the collection districts in the State of North Carolina the following officers:

1. In the district of Albemarle, a collector, to reside at the port of entry.
2. In the district of Pamlico, a collector, to reside at the port of entry.
3. In the district of Beaufort, a collector, to reside at the port of entry.
4. In the district of Wilmington, a collector, to reside at the port of entry.

Rev. Stat., § 2,557. There shall be in the State of South Carolina three collection districts, as follows:

1. The district of Georgetown: to comprise all the waters and shores from the southern boundary of the State of North Carolina to the point of Cape Romain; in which Georgetown shall be the port of entry.

2. The district of Charleston: to comprise all the waters and shores from Cape Romain to Combahee River, inclusive; in which Charleston shall be the port of entry.

3. The district of Beaufort; to comprise all the waters and shores from Combahee River to the Back River, in Georgia; in which Beaufort shall be the port of entry.

Rev. Stat., § 2,558. There shall be in the collection districts in the State of South Carolina the following officers:

1. In the district of Georgetown, a collector.
2. In the district of Charleston, a collector, a naval officer, a surveyor, who shall reside at Charleston, two appraisers, and a special examiner of drugs, medicines, and chemicals.
3. In the district of Beaufort, a collector.

Rev. Stat., § 2,559. There shall be in the State of Georgia three collection districts, as follows:

1. The district of Savannah: to comprise the Savannah River and all the waters and shores from that river to, and including, the south point of Sapelo

Island; in which Savannah shall be the port of entry, and Augusta, Sunbury, and Hardwicke ports of delivery.

2. The district of Brunswick: to comprise all the waters and shores from the south point of Sapelo Island to, and including, the south point of Jekyl Island; in which Brunswick shall be the port of entry, and Frederica and Darien ports of delivery.

3. The district of St. Mary's: to comprise all the waters and shores from the south point of Jekyl Island to, and including, St. Mary's; in which St. Mary's shall be the port of entry.

Rev. Stat., § 2,560. There shall be in the collection districts in the State of Georgia the following officers:

1. In the district of Savannah, a collector, a naval officer, a surveyor, and two appraisers, who shall reside at the port of Savannah; a surveyor, who shall reside at Augusta; and the President, if he deems it necessary, may appoint a surveyor who shall reside at Sunbury, and a surveyor who shall reside at Hardwicke.

2. In the district of Brunswick, a collector, who shall reside at Brunswick; a deputy collector, who shall reside at Darien; and a surveyor, who shall reside at such place in the district as may be designated by the Secretary of the Treasury.

3. In the district of St. Mary's, a collector, who shall reside at St. Mary's.

Rev. Stat., § 2,561. The collectors of the districts of Savannah and Brunswick, in the State of Georgia, are each authorized to grant permits to unload at any port within their districts, respectively, and to appoint and put on board any vessel for which such a permit is granted one or more inspectors, as may be necessary for the security of the revenue.

Rev. Stat., § 2,562. There shall be in the State of Florida seven collection districts, as follows:

1. The district of Fernandina: to comprise all the waters and shores in the county of Nassau, as bounded on the third day of March, eighteen hundred and fifty-seven; in which Fernandina shall be the port of entry.

2. The district of St. John's; to comprise all the waters and shores from the southern boundary of the county of Nassau, as bounded on the third day of March, eighteen hundred and fifty-seven, to the south side of the St. John's River; in which such place, on the St. John's River, as the President may direct, shall be the port of entry, and Pilatka a port of delivery. [Jacksonville was designated as the port of entry.]

3. The district of St. Augustine: to comprise all the waters and shores from the south side of St. John's River to, and including, Indian River; in which St. Augustine shall be the port of entry.

4. The district of Key West: to comprise all the waters and shores from Indian River to, and including, Tampa Bay, and of the islands opposite and nearest thereto; in which Key West shall be the port of entry.

5. The district of St. Mark's: to comprise all the waters and shores from Tampa Bay to, and including, Oklokonee Bay; in which Cedar Keys shall be the port of entry, and St. Mark's, Bayport, and Magnolia ports of delivery.

6. The district of Appalachicola: to comprise all the waters and shores from Oklokonee Bay to Cape San Blas; in which such place as the President may designate shall be the port of entry. [Appalachicola was designated.]

7. The district of Pensacola: to comprise all the waters and shores of the State of Florida west of Cape San Blas; in which Pensacola shall be the port of entry; and the President may establish such ports of delivery in the districts of Florida as he may deem expedient; and for each port of delivery so established he shall appoint a surveyor, to reside at the port for which he is appointed. [It seems that the President designated New Smyrna and Indian River, in the district of St. Augustine, and St. Andrew's Bay, in the district of Pensacola.]

Rev. Stat., § 2,563. There shall be in the collection districts in the State of Florida the following officers:

1. In the district of Fernandina, a collector.
2. In the district of St. John's, a collector, who shall reside at such place as the President may designate as a port of entry, and a surveyor, who shall reside at Pilatka.
3. In the district of St. Augustine, a collector, who shall reside at St. Augustine.
4. In the district of Key West, a collector, who shall reside at Key West.
5. In the district of St. Mark's, a collector, who shall reside at Cedar Keys, and a surveyor, who shall reside at Bayport.
6. In the district of Appalachicola, a collector, who shall reside at the port of entry.
7. In the district of Pensacola, a collector, who shall reside at Pensacola.

Rev. Stat., § 2,564. There shall be in the State of Alabama one collection district, as follows:

The district of Mobile: to comprise all the waters and shores of the river Mobile, and of the other rivers, creeks, inlets, and bays emptying into the Gulf of Mexico within the State; in which Mobile shall be the port of entry, and Selma, in the State of Alabama, shall be a port of delivery.

Rev. Stat., § 2,565. There shall be in the collection district of Alabama a collector and an appraiser, who shall reside at the port of Mobile, and a surveyor, who shall reside at Selma.

Rev. Stat., § 2,566. There shall be in the State of Mississippi three collection districts, as follows:

1. The district of Pearl River: to comprise all the waters and shores of the Gulf of Mexico and of Lake Borgne within the State, in which Shieldsborough shall be the port of entry, and Pearlinton and Ship Island ports of delivery.

2. The district of Natchez: to comprise all the waters and shores of the Mississippi River within the State of Mississippi south of the range line between townships thirteen and fourteen; in which Natchez shall be the port of entry, and Grand Gulf a port of delivery.

3. The district of Vicksburgh: to comprise all the waters and shores of the Mississippi River within the State of Mississippi north of the range line between townships thirteen and fourteen; in which Vicksburgh shall be the port of entry.

Rev. Stat., § 2,567. There shall be in the collection districts in the State of Mississippi the following officers:

1. In the district of Pearl River, a collector, who shall reside at the port of Shieldsborough; and a deputy collector, who shall reside at Ship Island, and shall be authorized to perform the duties of a collector.

2. In the district of Natchez, a collector, who shall reside at Natchez.
3. In the district of Vicksburgh, a collector.

Rev. Stat., § 2,568. There shall be in the State of Louisiana two collection districts, as follows:

1. The district of New Orleans: to comprise all the waters and shores of the State of Louisiana east of and including the northern portion of the Atchafalaya River down to a point due west from the northern boundary of the town of Plaquemine, in the parish of Iberville, and east of the Bayou Lafourche, and all the waters and shores of the Mississippi River, and of the rivers which empty into it, or any of its branches, except the waters and shores within the State of Mississippi, and except the west bank of the Mississippi River between the towns of Plaquemine, in the parish of Iberville, and Donaldsonville, in the parish of Ascension; in which New Orleans shall be the port of entry, to include the parish of Orleans, and that portion of the parish of Jefferson lying between the Mississippi River and Lake Pontchartrain, and between the upper line of the parish of Orleans, left bank, and a line running parallel thereto, commencing at the Mississippi River, at the upper line of the city of Carrollton, and extending to Lake Pontchartrain; and the ports of delivery shall be as follows:

Bayou St. John.

Pontchartrain, on Lake Pontchartrain.

Pittsburgh, in Pennsylvania.

Wheeling, in West Virginia.

Cincinnati, in Ohio.

Louisville, in Kentucky.

St. Louis, in Missouri.

Nashville, in Tennessee.

Memphis, in Tennessee.

Evansville, in Indiana.

New Albany, in Indiana.

Burlington, in Iowa.

Galena, in Illinois.

Alton, in Illinois.

Quincy, in Illinois.

Lakeport, to include the lake terminus of the new canal.

Madison, in Indiana.

Paducah, in Kentucky.

Jeffersonville, in Indiana.

Cairo, in Illinois.

Keokuk, in Iowa.

Dubuque, in Iowa.

Parkersburg, in West Virginia.

Leavenworth, in Kansas.

Omaha, in Nebraska.

Kansas City, in Missouri.

St. Joseph, in Missouri.

Shreveport.

La Crosse, in Wisconsin.

[Indianapolis, in Indiana. Act March 3, 1881.]

2. The district of the Teche: to comprise all the waters and shores of that part of the State of Louisiana commencing at the town of Plaquemine, in the parish of Iberville; thence down the western bank of the Mississippi River to the town of Donaldsonville, in the parish of Ascension; thence down the Bayou Lafourche and along its eastern bank to the sea; thence westerly along the coast to the mouth of the Sabine River; thence up the Sabine River and along its eastern bank to a point due west from the town of Plaquemine; and thence to the place of beginning; in which Brashear, in the parish of St. Mary, shall be the port of entry.

Rev. Stat., § 2,569. There shall be in the collection districts in the State of Louisiana the following officers:

1. In the district of New Orleans, a collector, a naval officer, a surveyor, two appraisers and one assistant appraiser, and a special examiner of drugs, medicines, and chemicals, who shall reside at the port of New Orleans; a deputy

collector, who shall reside at Shreveport, in the State of Louisiana; and for each of the other ports of delivery named in the preceding section a surveyor, who shall reside at such port, and shall, in addition to the customary duties devolving upon such officer, perform the duties specially prescribed by law with respect to merchandise imported into that particular port. And for each of the ports of Cincinnati, Louisville, Evansville, St. Louis, and Memphis, there shall be appointed an appraiser, who shall reside at such port.

2. In the district of Teche, a collector, who shall reside at Brashear.

Rev. Stat., § 2,570. The master of every vessel bound to a port of delivery only, other than the port of Bayou St. John, in the district of New Orleans, shall first come to at the port of New Orleans with his vessel, and there make report and entry, in writing, and pay, or secure to be paid, all legal duties, port fees, and charges, in manner provided by law, before such vessel shall proceed to her port of delivery; and any vessel bound to the port of Bayou St. John may first proceed to that port, and afterward make report and entry at the port of New Orleans, within the time by law limited; and the master of every vessel arriving from a foreign port, or having goods on board of which the duties have not been paid or secured, and bound to any port within the district of New Orleans other than New Orleans or Bayou St. John, shall take an inspector on board at New Orleans before proceeding to such port. If any master of a vessel shall proceed to such port of delivery contrary to the directions of this section, he shall be liable to a penalty of five hundred dollars.

Rev. Stat., § 2,571. All vessels bound to the port of Bayou St. John shall, after proceeding thereto, and making report and entry at the port of New Orleans, within the time limited by law, be permitted to unlade their cargoes at the town of Bayou St. John, or at the basin of the canal of Carondelet, adjoining the city of New Orleans, under the rules and regulations prescribed by law.

Rev. Stat., § 2,572. All vessels bound to the port of Lakeport shall, after proceeding thereto and making report and entry at the port of New Orleans, within the time limited by law, be permitted to unlade their cargoes at that port, under the regulations prescribed by law.

Rev. Stat., § 2,573. All vessels about to depart from the port of Lakeport to foreign ports shall be permitted to clear with their cargoes at the custom-house, in the city of New Orleans, and depart under the same rules, regulations, and restrictions, and in every respect in the same manner as vessels clearing for foreign ports from the city of New Orleans by the way of the Mississippi River.

Rev. Stat., § 2,574. All vessels bound to the port of Pontchartrain shall, after proceeding thereto, and making report and entry at the port of New Orleans, within the time limited by law, be permitted to unlade their cargoes at the port of Pontchartrain under the regulations prescribed by law.

Rev. Stat., § 2,575. All vessels about to depart for foreign ports from the town of Bayou St. John, or basin of the canal de Carondelet, or the port of Pontchartrain, shall be permitted to clear with their cargoes at the custom-house, in the city of New Orleans, and depart under the same regulations as vessels clearing for foreign places from the city of New Orleans by the way of the Mississippi River.

Rev. Stat., § 2,576. The collector for the district of New Orleans may, when the public service requires, with the approval of the Secretary of the Treasury,

appoint, in addition to the inspectors otherwise authorized by law, temporary inspectors, not exceeding twenty in number. But this section shall not be deemed to authorize the whole number of inspectors employed at the port of New Orleans to be at any time greater than the actual number of vessels from foreign ports, having cargoes to be discharged, then lying in the port.

Rev. Stat., § 2,577. The collector of the customs at the port of New Orleans may appoint, with the approbation of the Secretary of the Treasury, three head gaugers for the port.

Rev. Stat., § 2,578. There shall be in the State of Texas five collection districts, as follows:

1. The district of Galveston: to comprise all the waters and shores of the State north and east of the counties of Matagorda and Wharton, as bounded on the third day of March, eighteen hundred and forty-seven; in which Galveston shall be the port of entry, and Sabine, Velasco, and Houston ports of delivery.

2. The district of Saluria: to comprise all the waters and shores of the State from and including the counties of Matagorda and Wharton, as bounded on the third day of March, eighteen hundred and forty-seven, to the county of Refugio, as bounded on the twenty-eighth day of July, eighteen hundred and forty-seven; in which Indianola shall be the port of entry, and Matagorda, Copano, Lavacca, and San Antonio ports of delivery.

3. The district of Corpus Christi: to comprise all the waters and shores within the counties of Nueces, Zapata, Duval, Encinal, Webb, La Salle, McMullen, Live Oak, Bee, Refugio, and San Patricio, as bounded on the twenty-eighth day of July, eighteen hundred and sixty-six; in which Corpus Christi shall be the port of entry, and Aransas a port of delivery.

4. The district of Brazos de Santiago: to comprise all the waters and shores of the State south of the district of Corpus Christi; in which Brownsville shall be the port of entry.

5. The district of Paso del Norte: to comprise the county of El Paso, in Texas, and the Territory of New Mexico, as bounded on the second day of August, eighteen hundred and fifty-four; in which El Paso shall be the port of entry.

Rev. Stat., § 2,579. There shall be in the collection districts in the State of Texas the following officers:

1. In the district of Galveston, a collector, who shall reside at Galveston; a deputy collector, who shall reside at Sabine, and shall exercise such powers as the Secretary of the Treasury may prescribe in pursuance of law; a surveyor who shall reside at Velasco, and a surveyor who shall reside at Houston.

2. In the district of Saluria, a collector who shall reside at Indianola, a surveyor who shall reside at Matagorda, a surveyor who shall reside at Lavacca, and a surveyor who shall reside at Copano.

3. In the district of Corpus Christi, a collector, who shall reside at Corpus Christi.

4. In the district of Brazos de Santiago, a collector, who shall reside at Brownsville, and a deputy collector, who shall reside at Brazos de Santiago, and shall have the power to enter and clear vessels.

5. In the district of Paso del Norte, a collector, who shall reside at El Paso.

Rev. Stat., § 2,580. The Secretary of the Treasury shall appoint inspectors of

the customs to reside at San Antonio, Eagle Pass, the Presidio del Norte, and San Elizario, or at such other points as he may designate, not exceeding four in number, upon the routes by which goods entered and bonded and withdrawn from warehouse may, in pursuance of law, be exported to Mexico; and such inspectors shall make a report semi-annually to the Secretary of the Treasury of all the trade that passes under inspection, stating the number of packages, description of goods, their value, and the names of the exporters.

Rev. Stat., § 2,581. All merchandise transported in bond to the port of Brownsville from any other port of the United States, by Brazos Harbor, may, on arrival at that harbor, be transhipped under such regulations, not inconsistent with law, as the Secretary of the Treasury may prescribe, in other vessels for transportation by the Rio Grande to Brownsville; and all merchandise imported into the district by Brazos Harbor from any foreign country, may, in like manner, be transhipped to Brownsville as provided for goods, wares, and merchandise transhipped in bond.

Rev. Stat., § 2,582. There shall be in the State of California two collection districts, as follows:

1. The district of San Diego: to comprise all the waters and shores of the counties of Santa Barbara, Los Angeles, San Bernardo, and San Diego; in which San Diego, on the Bay of San Diego, shall be the sole port of entry, and Wilmington and Santa Barbara ports of delivery.

2. The district of San Francisco: to comprise all the waters and shores of the State north of the counties of Santa Barbara, Los Angeles, and San Bernardo; in which San Francisco shall be the port of entry, and Eureka and Vallejo ports of delivery.

Rev. Stat., § 2,583. There shall be in the collection districts of California the following officers:

1. In the district of San Diego, a collector who shall reside at San Diego, and two inspectors, to be appointed by the collector, with the approval of the Secretary of the Treasury, for the ports of San Pedro and Santa Barbara.

2. In the district of San Francisco, a collector, a naval officer, a surveyor, who shall reside at San Francisco; two appraisers, two assistant appraisers, and a special examiner of drugs, medicines, and chemicals; a deputy collector who shall reside at Eureka, a deputy collector who shall reside at Vallejo; an inspector at Monterey, an inspector at Sacramento, an inspector at Benicia, and an inspector at Stockton.

Rev. Stat., § 2,584. Any vessel of five hundred tons, or over, coming from or going to sea, may proceed directly to or from the port of Vallejo, and report through the deputy collector at that port to the collector of customs at San Francisco.

Rev. Stat., § 2,585. Any vessel of one hundred tons, or over, coming from or going to sea, may proceed directly to or from the port of Eureka, and report through the deputy collector of such port to the collector of customs at San Francisco.

Rev. Stat., § 2,586. There shall be in the State of Oregon and Territory of Washington four collection districts, as follows:

1. The Southern district of Oregon: to comprise all the waters and shores of that part of the State of Oregon lying south and east of the north bank of the Siuslaw River; in which Coos Bay, in Coos County, shall be the port of entry,

and Ellensburg, at the mouth of Rogue River, Port Orford, and Gardner, on the Umpqua River, ports of delivery.

2. The district of Oregon: to comprise all the waters and shores lying north and east of the north bank of the Siuslaw River, to the forty-sixth and a half degree of north latitude, and west of the coast range of mountains to the forty-eighth degree of north latitude, except that portion situated above the junction of the Willamette and Columbia Rivers and drained by those rivers and their tributary waters; in which Astoria shall be the port of entry.

3. The district of Willamette: to comprise all the waters and shores lying north and east of the north bank of Siuslaw River to the forty-sixth and a half degree of north latitude and west of the coast range of mountains to the forty-eighth degree of north latitude, above the junction of the Willamette and Columbia Rivers, and drained by those rivers and their tributary waters; in which Portland shall be the port of entry.

4. The district of Puget Sound: to comprise all the waters and shores of the State of Oregon and Territory of Washington not included in the districts of the Southern district of Oregon, and Willamette; in which Port Townsend shall be the port of entry.

Rev. Stat., § 2,587. There shall be in the collection districts in the State of Oregon and the Territory of Washington the following officers:

1. In the Southern district of Oregon, a collector, who shall reside at Empire City; and three deputy collectors, who may be appointed by the collector, with the approval of the Secretary of the Treasury, and of whom one shall reside at Ellensburg, one at Port Orford, and one at Gardner.

2. In the district of Oregon, a collector, who shall reside at Astoria.

3. In the district of Willamette, a collector and an appraiser, who shall reside at Portland.

4. In the district of Puget Sound, a collector, who shall reside at Port Townsend.

Rev. Stat., § 2,588. The master of every vessel entering the Columbia River from the sea, and bound for Portland, in the district of Willamette, shall exhibit his papers to the collector of the port of Astoria, and deposit with him a sworn copy of the manifest of cargo. If the vessel is laden with domestic merchandise, or merchandise in bond for Portland, the collector at Astoria shall permit her to proceed to her place of destination; but if she has dutiable merchandise on board not bonded, he shall cause a customs officer to proceed on board the vessel to Portland, who shall see that no goods are landed from such vessel before her arrival and entry at the latter port. The necessary expenses, including the per diem of such officer and the expense of his return to Astoria, shall be paid by the master of such vessel to the collector of customs at Portland, for the use of the United States, before permit shall be given to unload.

Rev. Stat., § 2,589. All vessels clearing from Portland, in the district of Willamette, and bound to sea, shall, on arrival at Astoria, in the district of Oregon, report to the collector; and the master of every vessel so reporting shall leave a copy of his manifest, including any additional cargo taken on board after leaving Portland, with the collector at Astoria, and thereupon shall be allowed to proceed to sea. The master or other person in charge or command of any vessel entering the Columbia River from the sea, or clearing from Portland and bound to sea, as described in this section, who shall neglect to exhibit his papers,

or to report to the collector, or to deposit his manifest, as herein required, shall be liable to a penalty of one hundred dollars.

Rev. Stat., § 2,590. When a vessel shall arrive at Astoria, in the district of Oregon, from sea, having merchandise on board for that place, and also for Portland, in the district of Willamette, such vessel shall enter at Astoria, and discharge such portion of her cargo as is destined for that place, whereupon the collector shall cause her hatches to be closed and sealed, and shall then permit her to proceed to Portland in charge of a customs officer.

Rev. Stat., § 2,591. There shall be in the Territory of Alaska one collection district, as follows:

The district of Alaska: to comprise all the Territory of Alaska; in which Sitka shall be the port of entry.

Rev. Stat., § 2,592. There shall be in the collection district of Alaska a collector, who shall reside at Sitka.

Rev. Stat., § 2,593. There shall be in the Territories of Montana and Idaho one collection district, as follows:

The district of Montana and Idaho: to comprise the Territories of Montana and Idaho, as bounded on the thirteenth day of April, eighteen hundred and sixty-six. The port of entry shall be designated by the Secretary of the Treasury. [Fort Benton, Montana, was designated.]

Rev. Stat., § 2,594. There shall be in the collection district of Montana and Idaho a collector, who shall reside at the port of entry.

Rev. Stat., § 2,595. There shall be in the State of Minnesota two collection districts, as follows:

1. The district of Minnesota: to comprise all the territory of the United States north of the States of Wisconsin and Iowa, and east of the Territory of Montana, as bounded on the thirteenth day of April, eighteen hundred and sixty-six, except the waters and shores of Lake Superior and the rivers connected therewith; in which Pembina shall be the port of entry, and St. Paul a port of delivery.

2. The district of Duluth: to comprise all the waters and shores of Lake Superior and the rivers connected therewith, within the State of Minnesota; in which Duluth shall be the port of entry.

Rev. Stat., § 2,596. There shall be in the collection districts of Minnesota the following officers:

1. In the district of Minnesota, a collector, who shall reside at Pembina, and a deputy collector, who shall reside at St. Paul.

2. In the district of Duluth, a collector, who shall reside at Duluth.

Rev. Stat., § 2,597. There shall be in the State of Wisconsin one collection district, as follows:

The district of Milwaukee: to comprise all the waters and shores of Lake Michigan within the State of Wisconsin; in which Milwaukee shall be the port of entry, and Kenosha, Racine, Sheboygan, Green Bay, and Depère ports of delivery.

Rev. Stat., § 2,598. There shall be in the collection district of Wisconsin the following officers:

In the district of Milwaukee, a collector and an appraiser, who shall reside at Milwaukee, and a deputy collector at each of the ports of Kenosha, Racine, Sheboygan, Green Bay, and Depère.

Rev. Stat., § 2,599. There shall be in the State of Michigan four collection districts, as follows:

1. The district of Michigan: to comprise all the waters and shores of the State of Michigan lying west of the principal meridian, and south of the latitudinal line dividing township number forty-three from township number forty-four, north of the base line of the State, except the territory bordering Green Bay, and including the island of Bois Blanc; in which Grand Haven shall be the port of entry, and Duncan City a port of delivery.

2. The district of Huron: to comprise all the waters and shores of the St. Clair River, and of the counties of St. Clair, Lapeer, Tuscola, and Saginaw, as bounded on the thirteenth day of April, eighteen hundred and sixty-six, and of all the territory of the State of Michigan lying north of those counties and east of the principal meridian; in which Port Huron shall be the port of entry.

3. The district of Detroit: to comprise all the waters and shores of Lake Erie and Lake St. Clair, and the waters connected therewith, within the jurisdiction of the United States, from the Miami River to the mouth of the St. Clair River; in which Detroit shall be the port of entry. And the President is authorized to establish, within the district of Detroit, two ports of delivery. [..... and were established as ports of delivery.]

4. The district of Superior: to comprise all the waters and shores of that part of the upper peninsula of the State of Michigan lying east of the principal meridian, all the islands in and bordering upon the Sainte Marie River, and all that part of the State of Michigan lying west of the principal meridian, and north of the latitudinal line dividing township number forty-three from township number forty-four north of the base line of that State, including the territory in the State bordering Green Bay, together with all the islands, waters, and shores of Lake Superior and the adjacent territory to the head-waters of all the rivers and streams tributary thereto, and within the States of Michigan and Wisconsin; in which Marquette shall be the port of entry, and Sault Sainte Marie and Mackinaw ports of delivery.

Rev. Stat., § 2,600. There shall be in the collection districts of Michigan the following officers:

1. In the district of Michigan, a collector, who shall reside at Grand Haven.

2. In the district of Huron, a collector, who shall reside at Port Huron.

3. In the district of Detroit, a collector and an appraiser, who shall reside at Detroit, and a surveyor at each of the two ports of delivery designated by the President.

4. In the district of Superior, a collector, who shall reside at Marquette, a deputy collector, who shall reside at Sault Sainte Marie, and a deputy collector, who shall reside at Mackinaw.

Rev. Stat., § 2,601. There shall be in the States of Indiana and Illinois one collection district, as follows:

The district of Chicago: to comprise all the waters and shores of Lake Michigan within the States of Indiana and Illinois; in which Chicago shall be the port of entry, and Waukegan and Michigan City ports of delivery.

Rev. Stat., § 2,602. There shall be in the collection district of Indiana and Illinois the following officers:

1. In the district of Chicago, a collector and an appraiser, who shall reside

at Chicago, a deputy collector, who shall reside at Waukegan, and a surveyor, who shall reside at Michigan City.

Rev. Stat., § 2,603. There shall be in the State of Ohio three collection districts, as follows:

1. The district of Miami: to comprise all the waters and shores of Lake Erie, within the jurisdiction of the United States, from the western cape of Sandusky Bay to the western bank of the Miami River; in which Toledo shall be the port of entry. And the President is authorized to establish two ports of delivery in said district. [.....and.....were designated such ports of delivery.]

2. The district of Sandusky: to comprise all the waters and shores of Lake Erie, within the jurisdiction of the United States, from the western bank of the Vermillion River to the western cape of Sandusky Bay; in which Sandusky shall be the port of entry.

3. The district of Cuyahoga: to comprise all the waters and shores of Lake Erie, within the jurisdiction of the United States, from the western boundary of the State of Pennsylvania to the western bank of the Vermillion River. The President is authorized to designate such place as he shall deem expedient to be the port of entry; and Fairport and two other places which may be established by the President shall be ports of delivery. [Cleveland was designated as the port of entry, and Ashtabula and Cuyahoga additional ports of delivery. It seems that Cuyahoga has since been abandoned.]

Rev. Stat., § 2,604. There shall be in the collection districts of Ohio the following officers:

1. In the district of Miami, a collector, who shall reside at Toledo.
2. In the district of Sandusky, a collector, who shall reside at Sandusky.
3. In the district of Cuyahoga, a collector, who shall reside at Cleveland, and an appraiser at Cleveland.

Rev. Stat., § 2,605. The Secretary of the Treasury may appoint, whenever he deems it necessary, additional inspectors of the revenue for the districts named below as follows: Passamaquoddy, four; Portland and Falmouth, eight; Boston and Charleston, fourteen; Pembina, two; Chicago, eight; Superior, two; Sandusky, one; Cuyahoga, three; Erie, one; Dunkirk, one; Buffalo, six; Niagara, two; Genesee, two; Oswego, five; Oswegatchie, two; Champlain, four; Vermont, two.

Rev. Stat., § 2,606. At each of the ports of Providence, Norfolk, Portland in Maine, Buffalo, Chicago, Detroit, Cincinnati, St. Louis, Evansville, Milwaukee, Louisville, Cleveland, San Francisco, Portland in Oregon, Memphis, and Mobile there shall be appointed such number of weighers, gaugers, measurers, and inspectors as may be necessary.

Rev. Stat., § 2,607. At the port of San Diego, in the district of San Diego, the Secretary of the Treasury shall have power to appoint such inspectors, weighers, gaugers, measurers, and other officers as may be necessary for the collection of the revenue of that port.

Rev. Stat., § 2,608. There shall be appointed by the President, by and with the advice and consent of the Senate, four appraisers of merchandise, who shall be employed in visiting such ports of entry in the United States, under the direction of the Secretary, as may be deemed useful by him for the security of the revenue, and shall at such ports afford such aid and assistance in the appraise-

ment of merchandise thereat as may be deemed necessary by the Secretary of the Treasury to protect and insure uniformity in the collection of the revenue from customs.

Rev. Stat., § 2,609. Whenever an appraisement of imported merchandise is to be made at any port for which no appraiser is provided by law, the collector of the district shall appoint two respectable resident merchants, who shall be the appraisers of such merchandise.

Rev. Stat., § 2,610. Every merchant who, after being chosen by the collector, as provided in the preceding section, and, after due notice of such choice, has been given to him in writing, declines or neglects to assist at such appraisement, shall be liable to a penalty not exceeding fifty dollars, and to the costs of prosecution therefor.

Rev. Stat., § 2,611. Special examiners of drugs, medicines, chemicals, and so forth, shall, before entering upon their duties, take and subscribe on oath faithfully and diligently to perform such duties and to use their best endeavors to prevent and detect frauds upon the revenue of the United States, which oath shall be administered by the collector of the port or district where the examiner making it is employed.

Rev. Stat., § 2,612. The Secretary of the Treasury shall give to the collectors of districts for which an examiner of drugs, medicines, and chemicals is not provided by law, such instructions as he may deem necessary to prevent the importation of adulterated and spurious drugs and medicines.

Ports of Delivery having no Surveyor.

Rev. Stat., § 2,624. At ports of delivery to which no surveyor is appointed, and at such ports only, the collector may, from time to time, when it is necessary, employ a proper person to perform the duties of a surveyor, who shall be entitled to the like compensation with an inspector during the time he is employed.

Disability of a Collector.

Rev. Stat., § 2,625. In case of the disability or death of a collector, the duties and authorities vested in him shall devolve on his deputy, if any there be at the time of such disability or death, for whose conduct the estate of such disabled or deceased collector shall be liable; and if there be no deputy, they shall devolve upon the naval officer of the same district, if any there be; and if there be no naval officer, they shall devolve upon the surveyor of the port appointed for the residence of such disabled or deceased collector, if any there be; and if there be no such surveyor, they shall devolve upon the surveyor of the port nearest thereto and within the district.

Duty of the Naval Officer.

Rev. Stat., § 2,626. At ports to which there are appointed a collector, naval officer, and surveyor, it shall be the duty of the naval officer:

1. To receive copies of all manifests and entries.
2. To estimate, together with the collector, the duties on all merchandise subject to duty, and no duties shall be received without such estimates.
3. To keep a separate record of such estimates.
4. To countersign all permits, clearances, certificates, debentures, and other documents, to be granted by the collector.

5. To examine the collector's abstract of duties, and other accounts of receipts, bonds, and expenditures, and certify the same if found right.

Deputy Collectors, and Special Deputy.

Rev. Stat., § 2,630. Every collector of the customs shall have authority, with the approval of the Secretary of the Treasury, to employ within his district such number of proper persons as deputy collectors of the customs as he shall deem necessary; and such deputies are declared to be officers of the customs. And in cases of occasional and necessary absence, or of sickness, any collector may exercise his powers and perform his duties by deputy, duly constituted under his hand and seal, and he shall be answerable for the acts of such deputy in the execution of such trust.

Substituted Disbursing Agent.

Rev. Stat., § 2,631. In case of the sickness or unavoidable absence of any collector or surveyor of the customs from his office, he may, with the approval of the Secretary of the Treasury, authorize some officer or clerk under him to act in his place, and discharge all the duties required by law of such collector or surveyor in his capacity as disbursing agent; and the official bond given by the principal of the office shall be held to cover and apply to the acts of the person appointed to act in his place in such cases.

Deputy Collector with the Power of his Principal.

Rev. Stat., § 2,633. The Secretary of the Treasury is authorized, whenever in his opinion the public interest demands it, to clothe any deputy collector at a port other than the principal port of entry with all the powers of his principal appertaining to official acts; and he may require such deputy to give bond to the United States, in such amount as the Secretary may prescribe, for the faithful discharge of his official duties.

Posting Table of Fees; giving Receipts.

Rev. Stat., § 2,635. Every collector, naval officer, and surveyor shall cause to be affixed, and constantly kept in some public and conspicuous place of his office, a fair table of the rates of fees and duties demandable by law, and shall give a receipt for the fees received by him, specifying the particulars whenever required so to do; and for every failure so to do he shall be liable to a penalty of one hundred dollars, recoverable to the use of the informer.

Prohibited Ownership of any Vessel.

Rev. Stat., § 2,638. No person employed under the authority of the United States, in the collection of duties on imports or tonnage, shall own, either in whole or in part, any vessel, or act as agent, attorney, or consignee for the owner or owners of any vessel, or of any cargo or lading on board the same; nor shall any such person import or be concerned directly or indirectly in the importation of any merchandise for sale into the United States. Every person who violates this section shall be liable to a penalty of five hundred dollars.

Decision of the Secretary binding.

Rev. Stat., § 2,652. It shall be the duty of all officers of the customs to execute and carry into effect all instructions of the Secretary of the Treasury rela-

tive to the execution of the revenue laws; and in case any difficulty shall arise as to the true construction or meaning of any part of the revenue laws, the decision of the Secretary of the Treasury shall be conclusive and binding upon all officers of the customs.

Suspension of Subordinate Office.

Rev. Stat., § 2,653. The Secretary of the Treasury is hereby authorized, whenever he shall think it advantageous to the public service, to abolish or suspend the office of naval officer, or any other subordinate office, in any collection district of the United States, except in Boston, New York, Philadelphia, Baltimore, Charleston, Savannah, Portland in Maine, and San Francisco, and to assign the duties of the office or any other subordinate office so abolished or suspended to a deputy collector or inspector of the customs; and so much of all fines, penalties, and forfeitures as would otherwise inure to either of such naval officers, shall, after the discontinuance of their offices, respectively, be paid into the treasury of the United States, and there credited to the fund for defraying the expenses of collecting the revenue from customs.

Fees.

Rev. Stat., § 2,654. There shall be allowed and paid for the use of the collectors the following fees:

1. To each collector for every entrance of any vessel of one hundred tons burden and upward, two dollars and a half.
2. For every clearance of any vessel of one hundred tons burden and upward, two dollars and a half.
3. For every entrance of any vessel under the burden of one hundred tons, one dollar and a half.
4. For every clearance of any vessel under one hundred tons burden, one dollar and a half.
5. For every post entry, two dollars.
6. For every permit to land goods, twenty cents.
7. For every bond taken officially, forty cents.
8. For every permit to load goods for exportation, which are entitled to drawback, thirty cents.
9. For every debenture or other official certificate, twenty cents.
10. For every bill of health, twenty cents.
11. For every official document, registers excepted, required by any merchant, owner, or master of any vessel, not elsewhere enumerated, twenty cents.

When Vessels from Foreign Ports may make Entrance.

Rev. Stat., § 2,770. It shall not be lawful to make entry of any vessel which shall arrive within the United States, from any foreign port, or of the cargo on board such vessel, elsewhere than at one of the ports of entry designated in chapter i of this Title [xxxiv]; nor to unlade the cargo, or any part thereof, elsewhere than at one of the ports of delivery therein designated, except that every port of entry shall be also a port of delivery. This section shall not prevent the master or commander of any vessel from making entry with the collector of any district in which such vessel may be owned, or from which she may have sailed on the voyage from which she shall then have returned.

Limitation on Vessels not of the United States.

Rev. Stat., § 2,771. Vessels which are not vessels of the United States shall be admitted to unlade only at ports of entry established by law; and no such vessel shall be admitted to make entry in any other district than in the one in which she shall be admitted to unlade.

United States Vessel bound to a Port of Delivery.

Rev. Stat., § 2,772. The master of every vessel bound to a port of delivery only, in any district, shall first come to at the port of entry of such district with his vessel, and there make report and entry in writing, and pay all duties required by law, port fees and charges, before such vessel shall proceed to her port of delivery. Any master of a vessel who shall proceed to a port of delivery contrary to such directions shall be liable to a penalty of five hundred dollars, to be recovered with costs of suit.

Penalty for Attempt to depart with Entrance.

Rev. Stat., § 2,773. If any vessel, having arrived within the limits of any collection district, from any foreign port, departs, or attempts to depart, from the same, unless to proceed on her way to some more interior district to which she may be bound, before report or entry shall have been made by the master with the collector of some district, the master shall be liable to a penalty of four hundred dollars; and any collector, naval officer, surveyor, or commander of any revenue cutter may cause such vessel to be arrested and brought back to the most convenient port of the United States. If, however, it is made to appear by the oath of the master, and of the person next in command, or by other sufficient proof to the satisfaction of the collector of the district within which such vessel shall afterward come, or to the satisfaction of the court in which the prosecution of such penalty may be had, that the departure or attempt to depart was occasioned by stress of weather, pursuit or duress of enemies, or other necessity, the penalty imposed by this section shall not be incurred.

Report and Entrance Foreign.

Rev. Stat., § 2,774. Within twenty-four hours after the arrival of any vessel, from any foreign port, at any port of the United States established by law, at which an officer of the customs resides, or within any harbor, inlet, or creek thereof, if the hours of business at the office of the chief officer of the customs at such port will permit, or as soon thereafter as such hours will permit, the master shall repair to such office and make report to the chief officer of the arrival of the vessel; and he shall, within forty-eight hours after such arrival, make a further report in writing, to the collector of the district, which report shall be in the form, and shall contain all the particulars required to be inserted in, and verified like, a manifest. Every master who shall neglect or omit to make either of such reports and declarations, or to verify any such declaration as required, or shall not fully comply with the true intent and meaning of this section, shall, for each offense, be liable to a penalty of one thousand dollars. (See §§ 2,795, 2,812, 3,988, 3,976, 4,212, 4,173, 4,590.)

Report to the Surveyor, of Wines, etc.

Rev. Stat., § 2,775. The master of any vessel having on board distilled spirits or wines shall, within forty-eight hours after his arrival, whether the same be at the first port of arrival of such vessel or not, in addition to the requirements of the preceding section, report in writing to the surveyor or officer acting as inspector of the revenue of the port at which he has arrived, the foreign port from which he last sailed, the name of his vessel, his own name, the tonnage and denomination of such vessel, and to what nation belonging, together with the quantity and kinds of spirits and wines on board of the vessel, particularizing the number of casks, vessels, cases, or other packages containing the same, with their marks and numbers, as also the quantity and kinds of spirits and wines on board such vessel as sea stores; and in default thereof he shall be liable to a penalty of five hundred dollars, and any spirits omitted to be reported shall be forfeited.

Merchandise Manifested for a Foreign Port.

Rev. Stat., § 2,776. Any vessel may proceed with any merchandise brought in her, and, in the manifest delivered to the collector of the customs, reported as destined for any foreign port, from the district within which such vessel shall first arrive to such foreign port without paying or securing the payment of any duties upon such merchandise as shall be actually reexported in the vessel. But the manifest so declaring to reexport such merchandise shall be delivered to such collector within forty-eight hours after the arrival of the vessel. And the master of such vessel shall give bond as required by the next section.

Rev. Stat., § 2,777. The master of any vessel so destined for a foreign port shall give bond, with one or more sureties, in a sum equal to the amount of the duties upon the merchandise, as the same shall be estimated by the collector and naval officer of the port where the report shall be made, to the satisfaction of the collector, with condition that the merchandise, or any part thereof, shall not be landed within the United States unless due entry thereof shall have been first made, and the duties thereupon paid, according to law. Such bond shall be taken for the same period, and canceled in like manner, as a bond given for obtaining drawback of duties. No such bond shall be required in respect to merchandise on board of any vessel which has put into the United States from a necessity, shown as prescribed in section twenty-seven hundred and seventy-three.

Rev. Stat., § 2,778. The collector receiving any bond conditioned for the payment of duties upon merchandise reported as destined for a foreign port, in case the same shall be landed within the United States, or any other bonds taken upon the exportation of merchandise entitled to drawback, shall immediately after the time when, by the conditions of the same, they ought to be canceled, put the same in suit, provided the proof of the occurrence of such a necessity as excuses a landing of such goods within the United States has not been produced, or further time granted therefor by the Secretary of the Treasury.

Merchandise Manifested for Other Districts.

Rev. Stat., § 2,779. Any vessel in which any merchandise is brought into the United States from any foreign port, and which is specified in the manifest verified before the collector of the port in which such vessel first arrives, to be

destined for other districts, may proceed with the same from district to district within the United States, in order to the landing or delivery thereof; and the duties on such of the merchandise only as shall be landed in any district shall be paid within such district.

Rev. Stat., § 2,780. Before any vessel departs from the district in which she shall first arrive for another district, provided such departure is not within forty-eight hours after her arrival within such district, with merchandise brought in such vessel from a foreign port on which the duties have not been paid, the master shall obtain from the collector of the district from which she is about to depart, who is hereby required to grant the same, a copy of the report and manifest made by such master, certified by the collector, to which copy shall be annexed a certificate of the quantity and particulars of the merchandise which appears to him to have been landed within his district, or of the quantity and particulars of the merchandise which remains on board, and upon which the duties are to be paid in some other district.

Rev. Stat., § 2,781. Within twenty-four hours after the arrival of such a vessel within any other district, the master shall make report or entry to or with the collector of such other district, producing and showing the certified copy of his first report, together with the certificate from each collector of any other district within which any of the merchandise, brought in such vessel, has been landed, of the quantity and particulars of such merchandise as has been landed in each district respectively.

Rev. Stat., § 2,782. The master shall, however, first give bond, with one or more sureties, to the satisfaction of the collector of the district within which the vessel first arrives, in a sum equal to the amount of the duties on the residue of the merchandise, according to such estimate as the collector shall form thereof, with condition that the residue of such merchandise shall be duly entered and delivered in another district for which the same has been reported to be destined.

Rev. Stat., § 2,783. The bond shall be canceled or discharged within six calendar months from the date thereof, by the production of certificates from the collectors of the districts for which the merchandise has been reported, showing the due entry and delivery of the merchandise in such districts, or upon due proof to the satisfaction of the collector by whom the bond was taken, and to the naval officer of the port, if any, that such entry and delivery were prevented by some unavoidable accident or casualty, and if the whole or any part of the merchandise has not been lost, that it has been duly entered and delivered within the United States.

Rev. Stat., § 2,784. If the master of any such vessel fails by his neglect or fault to obtain the copy of his report from the collector of the district from which he is about to depart, or any certificate which he ought to obtain, or neglects to exhibit the same to the collector of any other district to which the vessel afterward proceeds, within the time for that purpose allowed, he shall be liable to a penalty, for every such neglect or omission, of five hundred dollars.

Production of Register, etc., before Entrance.

Rev. Stat., § 2,790. The register, or other document in lieu thereof, together with the clearance and other papers granted by the officers of the customs to a vessel at her departure from the port from whence she may have arrived, Medi-

terranean passports excepted, shall, previous to entry, be produced to the collector with whom such entry is to be made, and shall remain in his office; and, on the clearance of such vessel, the register and other documents shall be returned to the master or owner of such vessel.

War and Public Vessels need not make Entrance.

Rev. Stat., § 2,791. It shall not be necessary for the master of any vessel of war, or of any vessel employed by any prince, or state, as a public packet for the conveyance of letters and dispatches, and not permitted by the laws of such prince or state to be employed in the transportation of merchandise, in the way of trade, to make report and entry.

Ferry-boats need not make Entrance.

Rev. Stat., § 2,792. Vessels used exclusively as ferry-boats carrying passengers, baggage, and merchandise, shall not be required to enter and clear, nor shall the masters of such vessels be required to present manifests, or to pay entrance or clearance fees, or fees for receiving or certifying manifests; but they shall, upon arrival in the United States, be required to report such baggage and merchandise to the proper officers of the customs, according to law.

Licensed Vessels on the Northern Frontiers.

Rev. Stat., § 2,793. Enrolled or licensed vessels engaged in the foreign and coasting [domestic] trade on the northern, northeastern, and northwestern frontiers of the United States, departing from or arriving at a port in one district to or from a port in another district, and also touching at intermediate foreign ports, shall not thereby become liable to the payment of entry and clearance fees, or tonnage tax, as if from or to foreign ports; but such vessels shall, notwithstanding, be required to enter and clear.

Particular Specification of Sea Stores.

Rev. Stat., § 2,795. In order to ascertain what articles ought to be exempt from duty as the sea stores of a vessel, the master shall particularly specify the articles, in the report or manifest to be by him made, designating them as the sea stores of such vessel; and in the oath to be taken by such master, on making such report, he shall declare that the articles so specified as sea stores are truly such, and are not intended by way of merchandise or for sale; whereupon the articles shall be free from duty.

Excessive Sea Stores chargeable with Duty.

Rev. Stat., § 2,796. Whenever it appears to the collector to whom a report and manifest of sea stores are delivered, together with the naval officer, where there is one, or alone, where there is no naval officer, that the quantities of the articles, or any part thereof, reported as sea stores are excessive, the collector, jointly with the naval officer, or alone, as the case may be, may in his discretion estimate the amount of the duty on such excess; which shall be forthwith paid by the master to the collector, on pain of forfeiting the value of such excess.

Forfeiture of Unmanifested Sea Stores.

Rev. Stat., § 2,797. If any other or greater quantity of articles are found on

board such vessel as sea stores than are specified in an entry of sea stores, or if any of the articles are landed without a permit first obtained from the collector, and naval officer, if any, for that purpose, all such articles as are not included in the report or manifest by the master, and all which are landed without a permit, shall be forfeited, and may be seized; and the master shall, moreover, be liable to a penalty of treble the value of the articles omitted or landed.

Coal of Steam Vessels.

Rev. Stat., § 2,798. The master of any vessel propelled by steam, arriving at any port of the United States, may retain all the coal such vessel may have on board at the time of her arrival, and may proceed with such coal to a foreign port without being required to land the same in the United States, or to pay any duty thereon.

Oaths—how to be Taken.

Rev. Stat., § 2,805. All oaths to be taken upon making any of the reports or entries, or respecting any of the acts mentioned in this chapter, whether by a master of any vessel, or the owner or consignee of any merchandise, his factor or agent, or by any other person, shall be administered by the collector, or officer to or with whom the report or entry is made, and shall be reduced to writing, and subscribed by the person taking and by the person administering the oath.

Master must have a Manifest on Board.

Rev. Stat., § 2,806. No merchandise shall be brought into the United States from any foreign port, in any vessel, unless the master has on board manifests in writing of the cargo, signed by such master.

Manifests—what they shall Contain.

Rev. Stat., § 2,807. Every manifest required by the preceding section shall contain:

1. The name of the ports where the merchandise in such manifest mentioned were [was] taken on board, and the ports within the United States for which the same are [is] destined, particularly noting the merchandise destined for each port respectively.

2. The name, description, and build of the vessel; the true admeasurement or tonnage thereof; the port to which such vessel belongs; the name of each owner, according to the register of the same; and the name of the master of such vessel.

3. A just and particular account of all the merchandise, so laden on board, whether in packages or stowed loose, of any kind or nature whatever, together with the marks and numbers as marked on each package, and the number or quantity and description of the packages in words at length, whether leaguer, pipe, butt, puncheon, hogshead, barrel, keg, case, bale, pack, truss, chest, box, bandbox, bundle, parcel, cask, or package, of any kind or sort, describing the same by its usual name or denomination.

4. The names of the persons to whom such packages are respectively consigned, agreeably to the bills of lading signed for the same, unless when the goods are consigned to order, when it shall be so expressed in the manifest.

5. The names of the several passengers on board the vessel, distinguishing

whether cabin or steerage passengers, or both, with their baggage, specifying the number and description of packages belonging to each respectively.

6. An account of the sea stores remaining, if any.

[Chap. xxii, November 2, 1799, § 23, gives the form of manifest for a vessel of the United States; and chap. ccl, July 18, 1866, § 25, extends the provisions relative to manifests of vessels of the United States to vessels of all nations.]

Order of Statement in the Manifest.

Rev. Stat., § 2,808. If merchandise shall be imported, destined to be delivered in different districts or ports, the quantities and packages so destined to be delivered shall be inserted in successive order in the manifest; and all spirits and wines constituting the whole or any part of the cargo of any vessel shall also be inserted in successive order, distinguishing the ports to which the same may be destined, and the kinds, qualities, and quantities thereof.

Penalty for no Manifest, or Defective One.

Rev. Stat., § 2,809. If any merchandise is brought into the United States in any vessel whatever, from any foreign port, without having such manifest on board, or which shall not be included or described in the manifest, or shall not agree therewith, the master shall be liable to a penalty equal to the value of such merchandise not included in such manifest; and all such merchandise not included in the manifest belonging or consigned to the master, mate, officers, or crew of such vessel shall be forfeited.

Rev. Stat., § 2,810. Whenever it is made to appear to the satisfaction of the collector, naval officer, and surveyor, or to the major part of them, where those officers are established at any port, or to the satisfaction of the collector alone, where either of the other of the officers is not established, or to the satisfaction of the court in which a trial shall be had concerning such forfeiture, that no part of the cargo of any vessel without proper manifests was unshipped, after it was taken on board, except such as shall have been particularly specified, and accounted for in the report of the master, and that the manifests had been lost or mislaid, without fraud or collusion, or were defaced by accident, or became incorrect by mistake, no forfeiture or penalty shall be incurred under the preceding section.

Manifests must be ready Four Leagues out.

Rev. Stat., § 2,811. Every master of any vessel laden with merchandise, and bound to any port in the United States, shall, on his arrival within four leagues of the coast thereof, or within any of the bays, harbors, ports, rivers, creeks, or inlets thereof, upon demand, produce the manifests in writing, which such master is required to have on board his vessel, to such officer of the customs as first comes on board his vessel, for inspection, and shall deliver to such officer true copies thereof, which copies shall be provided and subscribed by the master; and the officer to whom the original manifests have been produced shall certify upon the back thereof that the same were produced, and the day and year on which the same were so produced, and that such copies were to him delivered, and by him examined with the original manifest; and shall likewise certify on the back of such copies the day and year on which

the same were delivered, and shall forthwith transmit such copies to the respective collectors of the several districts, to which the goods by such manifests appear respectively to be consigned.

Manifests after Arrival in a District.

Rev. Stat., § 2,812. The master of any such vessel shall in like manner produce to the officer of the customs who first comes on board such vessel, upon her arrival within the limits of any collection district in which the cargo or any part thereof is intended to be discharged or landed, for his inspection, such manifest; and shall also deliver to him true copies thereof, such copies also to be provided and subscribed by the master, the production of which manifests and the delivery of which copies shall also be certified by the officer of the customs, upon the back of the original manifests, with the particular day and year when such manifests were produced to such officer, and when he so received the copies thereof; and such officer is required forthwith to transmit the copies of the manifests to the collector of the district, and the master shall afterward deliver the original manifests so certified to the collector. When any manifest shall be produced upon which there shall be no certificate from any officer of the customs, as before mentioned, the master producing the same shall be required to make oath that no officer has applied for, and that no indorsement has taken place on, any manifest of the cargo of such vessel.

One Manifest and Two Copies.

Rev. Stat., § 2,813. The master of any such vessel shall not be required to make delivery of more than one copy of each manifest to the officer who shall first come on board of such vessel within four leagues of the coast of the United States, and one other copy to such officer as shall first come on board within the limits of any collection district, for which the cargo of such vessel, or some part thereof, is destined, nor to make delivery of any such copy to any other officer; but it shall be sufficient, in respect to any such other officer, to exhibit to him the original manifests and the certificates thereupon.

Penalty for lacking Manifests or giving False Destination.

Rev. Stat., § 2,814. If the master of any vessel laden with merchandise, and bound to any port in the United States, fails, upon his arrival within four leagues of the coast thereof, or within the limits of any collection district where the cargo of such vessel, or any part thereof, is intended to be discharged, to produce such manifests as are heretofore required, in writing, to the proper officer upon demand therefor, or to deliver such copies thereof, according to the directions of the preceding sections, or if he fails to give an account of the true destination of the vessel, which he is hereby required to do, upon request of such officer, or gives a false account of such destination, in order to evade the production of the manifests, the master shall, for every such neglect, refusal, or offense, be liable to a penalty of not more than five hundred dollars. If any officer first coming on board, in each case, shall neglect or refuse to certify on the back of such manifests the production thereof, and the delivery of such copies respectively as are directed to be delivered to such officer, such officer shall be liable to a penalty of five hundred dollars.

Boarding Officer must report Failure.

Rev. Stat., § 2,815. The officers who may apply to the master of any such vessel respecting any of the provisions in the preceding sections, and who shall not receive full satisfaction therein, are hereby required to make a return, in writing, of the name of the vessel and master so offending, in any or all of the particulars required, as soon as possible, to the collector of the district to which such vessel shall be considered to be bound.

Natchez or Vicksburg.

Rev. Stat., § 2,832. All vessels proceeding to the ports of Natchez or Vicksburg from any foreign port shall stop and report their arrival at the port of New Orleans; and before any such vessel shall proceed on her voyage to Natchez or Vicksburg, the collector for the district of New Orleans shall order on board any such vessel a custom-house officer, who shall remain on board such vessel until her arrival at Natchez or Vicksburg. Such custom-house officer shall take possession of, and safely keep, all the papers belonging to such vessel having relation to the freight or cargo on board, which papers he shall deliver to the collector at Natchez or Vicksburg immediately after his arrival at that port; and any such vessel which shall depart from New Orleans without such custom-house officer on board, shall be subject to all the pains and penalties provided for by law for a violation of the revenue laws.

Rev. Stat., § 2,833. The expenses of the custom-house officer who may be put on board any such vessel bound for Natchez or Vicksburg, at New Orleans, from the time of his being put on board until his return to New Orleans, shall be paid by the owner of such vessel.

Connecticut; or Burlington, New Jersey.

Rev. Stat., § 2,834. The master of any vessel bound to any district in Connecticut, through or by way of Sandy Hook, shall, before he passes the port of New York, and immediately after his arrival, deposit with the collector for the district of [the city of] New York a true manifest of the cargo on board such vessel. The master of any vessel bound to the district of Burlington shall, before he passes the port of Philadelphia, and immediately after his arrival, deposit with the collector thereof a like manifest; and the collector shall, after registering the manifest, transmit the same, duly certified to have been so deposited, to the officer with whom the entries are to be made; and the collectors and surveyors, respectively, may, whenever they judge it to be necessary for the security of the revenue, put an inspector of the customs on board any vessel, to accompany the same until her arrival at the first port of entry or delivery in the district to which such vessel may be destined. If the master of any vessel shall neglect or omit to deposit a manifest as herein prescribed, or shall refuse to receive an inspector of the customs on board, as the case requires, he shall forfeit and pay five hundred dollars, to be recovered with cost of suit—one half for the use of the officer with whom such manifest ought to have been deposited, and the other half to the use of the collector of the district to which such vessel may be bound. If, however, the manifest shall, in either of the above cases, have been previously delivered to any officer of the customs, pursuant to the provisions hereinafter made in that behalf, the depositing of a manifest shall not be necessary.

Vessels bound up James River, Virginia.

Rev. Stat., § 2,835. Vessels bound up James River, in the State of Virginia, shall not be required to stop in Hampton Roads to deposit a manifest with the collector at Norfolk. But the master of the revenue cutter stationed at Norfolk shall, under the orders of the Secretary of the Treasury, board all such vessels, and indorse their manifests, and place an officer on board of each vessel bound up James River having a cargo from a foreign port. If, however, there is no revenue cutter on that station for the purpose of boarding vessels, or when the state of the weather may be such as to render it impracticable to send an officer on board any vessel bound up James River having a cargo from a foreign port, the captain shall deposit with the surveyor at Hampton a copy of the manifest of the cargo on board such vessel.

Vessels for Petersburg or Richmond.

Rev. Stat., § 2,836. The master of any vessel arriving within the districts of Petersburg or Richmond, laden with merchandise, belonging or consigned to persons resident within both the districts, shall make entry of such vessel, in manner already prescribed by law, with the collector of that district wherein the owner or consignee, or the husband or acting manager of such vessel, shall actually reside; and the master shall, at the time of making the entry, deliver a duplicate manifest of the cargo to the collector, whose duty it shall then be to certify the same as a true copy, and to transmit it to the collector of the other district, and the delivery of such merchandise shall be authorized by permits from the collector of each district respectively in which the same has been duly entered according to law. No importer, owner, or consignee of merchandise, residing in either district, shall, however, be admitted to make an entry of such merchandise with the collector of the district in which such importer, owner, or consignee does not reside. All entries, moreover, for merchandise, made by agents, for persons residing in other districts, shall be made with the collector of the district in which such vessel may discharge.

Unlading without Permission.

Rev. Stat., § 2,867. If, after the arrival of any vessel laden with merchandise and bound to the United States within the limits of any collection district, or within four leagues of the coast, any part of the cargo of such vessel shall be unladed, for any purpose whatever, before such vessel has come to the proper place for the discharge of her cargo, or some part thereof, and has been there duly authorized by the proper officer of the customs to unlade the same, the master of such vessel and the mate, or other person next in command, shall respectively be liable to a penalty of one thousand dollars for each such offense, and the merchandise so unladed shall be forfeited, except in case of some unavoidable accident, necessity, or distress of weather. In case of such unavoidable accident, necessity, or distress, the master of such vessel shall give notice to, and, together with two or more of the officers or mariners on board such vessel, of whom the mate or other person next in command shall be one, shall make proof upon oath before the collector or other chief officer of the customs of the district, within the limits of which such accident, necessity, or distress happened, or before the collector, or other chief officer of the collection district,

within the limits of which such vessel shall first afterward arrive, if the accident, necessity, or distress happened not within the limits of any district, but within four leagues of the coast of the United States. The collector or other chief officer is hereby authorized and required to administer such oath.

Rev. Stat., § 2,868. If any merchandise, so unladen from on board any such vessel, shall be put or received into any other vessel, except in the case of such accident, necessity, or distress, to be so notified and proved, the master of any such vessel into which the merchandise shall be so put and received, and every other person aiding and assisting therein, shall be liable to a penalty of treble the value of the merchandise, and the vessel in which they shall be so put shall be forfeited.

Rev. Stat., § 2,869. The collector, jointly with the naval officer, if any, or alone where there is none, shall, according to the best of his or their judgment or information, make a gross estimate of the amount of the duties on the merchandise to which the entry of any owner or consignee, his factor or agent, shall relate, which estimate shall be indorsed upon such entry and signed by the officer making the same. The amount of the estimated duties having been first paid, or secured to be paid, pursuant to the provisions of this title, the collector shall, together with the naval officer, where there is one, or alone where there is none, grant a permit to land the merchandise whereof entry has been so made, *and then, and not before, it shall be lawful to land the merchandise.*

Rev. Stat., § 2,870. All permits shall specify, as particularly as may be, the merchandise to be delivered—namely, the number and description of the packages, whether trunk, bale, chest, box, case, pipe, hogshead, barrel, keg, or any other packages whatever, with the mark and number of each package, and, as far as circumstances will admit, the contents thereof, together with the names of the vessel and master, in which and the place from whence they were imported; and no merchandise shall be delivered by any inspector or other officer of the customs that does not fully agree with the description thereof in such permit.

Unloading of Steamer at Night.

Rev. Stat., § 2,871. The collector of customs, with the concurrence of the naval officer, where there is one, of any port at which a steamship from a foreign port or place may arrive, upon or after the issuing of a general order, shall grant, upon proper application therefor, a special license to unlade the cargo of said vessel at night—that is to say, between sunset and sunrise; but before any such special license is granted, the master, agents, or consignees of the vessel shall execute and deliver to the collector a good and sufficient bond, to be approved by him, conditioned to indemnify and save the collector harmless from any and all losses and liabilities which may occur or be occasioned by reason of the granting of such special license. And any liability of the master or owner of any such steamship to the owner or consignee of any merchandise landed from her shall not be affected by the granting of such special license or of any general order, but such liability shall continue until the merchandise is properly removed from the dock whereon the same may be landed. The collector, under such general regulations as the Secretary of the Treasury may prescribe, shall fix a uniform and reasonable rate of compensation for like service, to be paid by the master, owner, or consignee, whenever such special license is

granted, and shall collect and distribute the same among the inspectors assigned to superintend the unloading of the cargo.

Unloading between Sunrise and Sunset.

Rev. Stat., § 2,872. Except as authorized by the preceding section, no merchandise brought in any vessel from any foreign port shall be unladen or delivered from such vessel within the United States but in open day—that is to say, between the rising and the setting of the sun—except by special license from the collector of the port, and naval officer of the same, where there is one, for that purpose, nor at any time without a permit from the collector, and naval officer, if any, for such unloading or delivery.

Rev. Stat., § 2,873. If any merchandise shall be unladen or delivered from any vessel contrary to the preceding section, the master of such vessel, and every other person who shall knowingly be concerned, or aiding therein, or in removing, storing, or otherwise securing such merchandise, shall each be liable to a penalty of four hundred dollars for each offense, and shall be disabled from holding any office of trust or profit under the United States for a term not exceeding seven years; and the collector of the district shall advertise the name of such person in a newspaper printed in the State in which he resides within twenty days after each respective conviction.

Rev. Stat., § 2,874. All merchandise, so unladen or delivered contrary to the provisions of section twenty-eight hundred and seventy-two, shall become forfeited, and may be seized by any of the officers of the customs; and where the value thereof, according to the highest market price of the same, at the port or district where landed, shall amount to four hundred dollars, the vessel, tackle, apparel, and furniture shall be subject to like forfeiture and seizure.

Inspector may be placed on Board.

Rev. Stat., § 2,875. The collector of any district at which any vessel arrives, immediately on her first coming within such district, or the surveyor of any port where such vessel is, may put and keep on board such vessel, while remaining within such district, or in going from one district to another, one or more inspectors to examine the cargo or contents of such vessel, and to superintend the delivery thereof, or of so much thereof as shall be delivered within the United States, and to perform such other duties, according to law, as they shall be directed by the collector or surveyor to perform, for the better securing the collection of the duties. Only collectors shall have power, however, to put inspectors on board vessels to go from one district to another.

Rev. Stat., § 2,876. The inspector shall make known to the master of such vessel the duties he is to perform; and shall suffer no merchandise to be unladen, or otherwise removed, from such vessel, without a permit in writing from the collector of the port, and naval officer thereof, if any. The inspector shall enter in a book, to be kept by him according to such a form as shall be prescribed or approved by the collector, the name of the person in whose behalf such permits are granted, together with the particulars therein specified, and the marks, numbers, kinds, and description of the respective packages which shall be unladen pursuant thereto, and shall keep a like account in a book of all merchandise which, not having been entered within the time limited by this title, or for some other cause, has been sent to the store or warehouse provided for the

reception of such merchandise; such book shall be delivered to the surveyor in the month of January in every year for his inspection, and immediately after such inspection be transmitted by the surveyor, with such observations as he may think necessary thereon, to the collector, to be deposited in his office.

Rev. Stat., § 2,877. The inspector shall attend to the delivery of the cargo under his care, at all times when the unloading or delivery of merchandise is lawful, particularly from the rising to the setting of the sun on each day, Sundays and the fourth day of July in each year excepted; for which purpose he shall constantly attend and remain on board the vessel the deliveries from which he is to superintend, or at any other station where his inspection is necessary. The inspector shall not quit such station or place without the leave of the surveyor of the port first obtained, who shall appoint another inspector, if he deems it necessary, to supply the place of such inspector during his absence; and any inspector who shall neglect or in any manner act contrary to the duties hereby enjoined, shall, for the first offense, be liable to a penalty of the sum of fifty dollars, and for the second offense shall be displaced, and be incapable of holding any station of trust or profit under the revenue laws of the United States for a term not exceeding seven years.

Rev. Stat., § 2,878. No inspector shall perform any other duties or service on board any vessel, the superintendence of which is committed to him, for any person whatever other than what is required by this Title, under the penalty of being disabled from acting any longer as an inspector of the customs; the wages or compensation of such inspector as may proceed from one district to another shall be defrayed by the master of the vessel committed to his care; every inspector or other officer of the revenue, while performing any duty on board any vessel, not in a port of the United States, discharging her cargo, shall be entitled to receive from the master of such vessel such provisions and accommodations as are usually supplied to passengers, or as the state and condition of such vessel will admit, on receiving therefor fifty cents a day; and any master of any vessel who shall refuse such provisions and reasonable accommodations shall be liable to a penalty of one hundred dollars.

Overtime, when Cargo for Several Districts.

Rev. Stat., § 2,879. If, by reason of the delivery of the cargo in several districts, more than the term allowed by law shall in the whole be spent therein, the wages or compensation of the inspector who may be employed on board of any vessel, in respect to which such term may be so exceeded, shall, for every day of such excess, be paid by the master or owner; and the inspector shall, previously to the clearance of the vessel, render an exact account to the collector of all such compensation as has been paid, or is due and payable by the master or owner.

Time for Unloading; General Order.

Rev. Stat., § 2,880. Whenever any merchandise shall be imported into any port of the United States from any foreign port, in any vessel, at the expiration of eight working days, if the vessel is less than three hundred tons burden, and within twelve working days, if it is of three hundred tons burden and less than eight hundred, and within fifteen days, if it is of eight hundred tons burden and upward, after the time within which the report of the master of any vessel is

required to be made to the collector of the district, if there is found any merchandise other than has been reported for some other district, or some foreign port, the collector shall take possession thereof; but, with the consent of the owner or consignee of any merchandise, or with the consent of the owner or master of the vessel in which the same may be imported, the merchandise may be taken possession of by the collector after one day's notice to the collector of the district. All merchandise so taken shall be delivered pursuant to the order of the collector of the district, for which a certificate or receipt shall be granted. [As to general order for certain steamers, see *first* clause of section 2,966, rejecting the *second* clause as an erroneous compilation.]

Overtime, when Cargo for One District.

Rev. Stat., § 2,881. The limitation of the time for unloading, prescribed by the preceding section, shall not extend to vessels laden with salt or coal; but if the master or owner of any vessel laden with salt or coal requires a longer time to discharge her cargo, the wages, or compensation of the inspector, for every day's attendance exceeding the number of days allowed by law, shall be paid by the master or owner; and thereupon the collector is hereby authorized and required to allow such longer time as, in his judgment, he may think necessary to discharge such cargo, not exceeding fifteen days.

Post Entry, or Penalty.

Rev. Stat., § 2,887. If any package whatever which has been so reported is wanting, and not found on board such vessel, or if the merchandise on board such vessel does not otherwise agree with the report or manifest delivered by the master of any such vessel, in every such case the master shall be liable to a penalty of five hundred dollars; except that if it is made to appear to the satisfaction of the collector, naval officer, and surveyor, or to the major part of them when these officers are established at any port, or to the satisfaction of the collector alone when neither of the others is established, or, in case of a trial for the penalty, to the satisfaction of the court, that no part whatever of merchandise of such vessel has been unshipped, landed, or unladen since it was taken on board, except as specified in the report or manifest, and pursuant to permits, or that the disagreement is by accident or mistake, in such case the penalty shall not be inflicted. But in all such cases the master of any vessel shall be required and shall make a post entry or addition to the report or manifest by him delivered of any and all merchandise omitted to be included and reported in such manifest; and it shall not be lawful to grant a permit to unlade any such merchandise so omitted before such post entry or addition to such report or manifest has been made.

Inspector's Returns.

Rev. Stat., § 2,888. When the delivery of merchandise from on board of any vessel is completed, copies of the accounts or entries which have been made or kept thereof, by the officer charged with the deliveries, shall be returned to the collector of the district, and the naval officer, if any, within three days after such delivery has been completed, if at the port where such officer resides, and if at any other port, as soon as the nature of the case will admit, not exceeding fifteen days. The accounts or entries to be so returned shall comprise all

deliveries made pursuant to permits, and all packages or merchandise sent to the public stores; also each and every package remaining on board of such vessel for the purpose of being exported therein to a foreign port, or to some other district of the United States.

Rev. Stat., § 2,889. Such returns shall be signed by the inspectors respectively under whose superintendence the deliveries have been made, and, after examination, and on being found correct, shall be countersigned or certified by the surveyor of the port, if any, at the port where the deliveries have been made. The returns shall be transmitted by him to the naval officer, if any, who shall compare the same with the manifests and entries in his possession; and if any difference appears, the particulars thereof shall be noted by indorsement on the returns; and if no difference appears, it shall be so noted by like indorsements. The naval officer shall transmit the returns to the collector of the district; and, on being returned to the collector, shall be by him compared with the manifests and entries of the merchandise which have been made by the owner, consignee, or his factor or agent; and if any difference appears, the same shall be noted by indorsement on such manifests specifying the particulars thereof; and if no difference appears, it shall be noted by like indorsement, that the delivery corresponds with the entry or entries thereof. The indorsement or memorandum shall, in each case, be subscribed by the officer by whom the comparison was made.

Vessel from Foreign Port in Distress.

Rev. Stat., § 2,891. If any vessel from any foreign port, compelled by distress of weather, or other necessity, shall put into any port of the United States, not being destined for the same, the master, together with the mate, or person next in command, may, within twenty-four hours after her arrival, make protest in the usual form upon oath, before a notary public or other person duly authorized, or before the collector of the district where the vessel arrives, setting forth the cause or circumstances of such distress or necessity. Such protest, if not made before the collector, shall be produced to him, and to the naval officer, if any, and a copy thereof lodged with him or them. The master shall also, within forty-eight hours after such arrival, make report in writing to the collector of the vessel and her cargo, as is directed hereby to be done in other cases. And if it appear to the collector, by the certificate of the wardens of the port, or other officers usually charged with and accustomed to ascertain the condition of vessels arriving in distress, if any, or by the certificate of two reputable merchants, to be named for that purpose by the collector, if there are no such wardens or other officers duly qualified, that there is a necessity for unloading the vessel, the collector and naval officer, if any, shall grant a permit for that purpose, and shall appoint an inspector to oversee such unloading, who shall keep an account of the same, to be compared with the report made by the master of the vessel.

Rev. Stat., § 2,892. All merchandise so unladen from any vessel arriving in distress shall be stored under the direction of the collector, who, upon request of the master of such vessel, or of the owner thereof, shall, together with the naval officer, where there is one, and alone where there is none, grant permission to dispose of such part of the cargo as may be of a perishable nature, if any there be, or as may be necessary to defray the expenses attending such vessel and her cargo. But entry shall be made therefor, and the duties paid.

Rev. Stat., § 2,893. In case the delivery of the cargo does not agree with the report thereof, made by the master of such vessel so arriving in distress, and if the difference or disagreement is not satisfactorily accounted for in manner prescribed by this Title, the master of such vessel shall be liable to such penalties as in other like cases are prescribed.

Rev. Stat., § 2,894. The merchandise, or the remainder thereof, which shall not be disposed of, may be reladen on board the vessel so arriving in distress, under the inspection of the officer who superintended the landing thereof, or other proper person, and the vessel may proceed with the same to the place of her destination, free from any other charge than for the storing and safe-keeping of the merchandise, and fees to the officers of the customs as in other cases.

Rev. Stat., § 2,895. Whenever any Spanish vessel shall arrive in distress, in any port of the United States, having been damaged on the coasts or within the limits of the United States, and her cargo shall have been unladen, in conformity with the provisions of the four preceding sections, the cargo, or any part thereof, may, if the vessel should be condemned as not seaworthy, or be deemed incapable of performing her original voyage, afterward be reladen on board any other vessel under the inspection of the officer who superintended the landing thereof, or other proper person. No duties, charges, or fees whatever, shall be paid on such part of the cargo as may be reladen and carried away, either in the vessel in which it was originally imported, or in any other.

Vessel obstructed by Ice.

Rev. Stat., § 2,896. When a vessel is prevented by ice from getting to the port or place at which her cargo is intended to be delivered, the collector of the district in which such vessel may be obstructed may receive the report and entry of such vessel, and, with the consent of the naval officer, where there is one, grant permits for unloading or landing the merchandise imported in such vessel, at any place within his district most convenient and proper. The report and entry of such vessel and her cargo, or any part thereof, and all persons concerned therein, shall be subject to the same regulations and penalties as if the vessel had arrived at the port of her destination, and had there proceeded to the delivery of her cargo.

Storing under General Order.

Rev. Stat., § 2,965. Unclaimed merchandise required by existing laws to be taken possession of by collectors of the customs may be stored in any public warehouse owned or leased by the United States, or in any private bonded warehouse authorized by this title, and all charges for storage, labor, and other expenses accruing on any such merchandise, not to exceed in any case the regular rates for such objects at the port in question, must be paid before delivery of the goods on due entry thereof by the claimant or owner; or if sold as unclaimed goods, to realize the import duties, the charges shall be paid by the collector out of the proceeds of the sale thereof before paying such proceeds into the Treasury as required by existing laws. (See §§ 2,880 and 2,966.)

General Order for Certain Steamers.

Rev. Stat., § 2,966. When merchandise shall be imported into any port of the United States, from any foreign country in vessels propelled in whole or in part

by steam, and it shall appear by the bills of lading that the merchandise so imported is to be delivered immediately after the entry of the vessel, the collector of such port may take possession of such merchandise and deposit the same in bonded warehouse; *and when it does not appear by the bills of lading that the merchandise so imported is to be immediately delivered, the collector of the customs may take possession of the same, and deposit it in bonded warehouse, at the request of the owner, master, or consignee of the vessel, on three days' notice to such collector after the entry of the vessel.*

[See §§ 2,880 and 2,965. *Notes.*—The clause in italics is a reproduction of a part of Chap. cxvii, August 3, 1854, which was meant to favor steamers by allowing general order to them on *three days' notice*, when other vessels were required to give *five*; but Chap. lxxxi, March 2, 1861, allowed *any* vessel to have general order on *one day's* notice, instead of the five which had been necessary under Chap. xxii, March 2, 1799, § 56. Steamers may ignore the clause above given in italics, and make demand for general order under § 2,880, when their bills of lading do not entitle them to general order immediately.]

Care and Risk of General Order Merchandise.

Rev. Stat., § 2,969. All merchandise of which the collector shall take possession under the provisions relating to the time for the discharge of a vessel's cargo shall be kept with due and reasonable care at the charge and risk of the owner.

Sale of Perishable and Explosive Merchandise.

Rev. Stat., § 2,975. All merchandise of a perishable nature, and all gunpowder and explosive substances, except fire-crackers, deposited in any public or private bonded warehouse, shall be sold forthwith.

Rev. Stat., § 2,976. Any collector of the customs is authorized, under such directions and regulations as may be prescribed by the Secretary of the Treasury, to sell, upon due notice, at public auction, any unclaimed merchandise deposited in public warehouse, whenever the same may, from depreciation in value, damage, leakage, or other cause, in the opinion of such collector, be likely to prove insufficient, on a sale thereof, to pay the duties, storage, and other charges if suffered to remain in public store for the period allowed by law in the case of unclaimed merchandise.

Authority to search Vessels.

Rev. Stat., § 3,059. It shall be lawful for any officer of the customs, including inspectors and occasional inspectors, or of a revenue cutter, or authorized agent of the Treasury Department, or other persons specially appointed for the purpose, in writing, by a collector, naval officer, or surveyor, to go on board of any vessel, as well without as within his district, and to inspect, search, and examine the same, and any person, trunk, or envelope on board, and to this end to hail and stop such vessel if under way, and to use all necessary force to compel compliance; and if it shall appear that any breach or violation of the laws of the United States has been committed, whereby or in consequence of which such vessel, or the merchandise, or any part thereof, on board of or imported by such vessel, is liable to forfeiture, to make seizure of the same, or either or any part thereof, and to arrest, or, in case of escape, or any attempt to escape, to pursue and arrest any person engaged in such breach or violation.

Rev. Stat., § 3,060. The original appointment in writing of any person specially appointed under the provisions of the previous section shall be filed in the custom-house where such appointment is made.

Rev. Stat., § 3,067. It shall be lawful for all collectors, naval officers, surveyors, inspectors, and the officers of the revenue cutters, to go on board of vessels in any port of the United States, or within four leagues of the coast thereof, if bound to the United States, whether in or out of their respective districts, for the purpose of demanding the manifests, and of examining and searching the vessels; and those officers, respectively, shall have free access to the cabins and every other part of the vessel.

Rev. Stat., § 3,068. If any master of a vessel coming into or having arrived at any port within the United States shall obstruct or hinder, or shall intentionally cause any obstruction or hindrance to any officer in lawfully going on board such vessel, for the purpose of carrying into effect any of the revenue laws of the United States, he shall, for every such offense, be liable to a penalty of not more than five hundred dollars nor less than fifty dollars.

Rev. Stat., § 3,069. If any box, trunk, chest, cask, or other package shall be found in the cabin, steerage, or forecastle of a vessel, or in any other place separate from the residue of the cargo, the officer of the customs shall take a particular account of such package, and of the marks and numbers thereof, if any, and a description thereof, and, if he judges proper, shall seal every such package; and such account and description shall be by him forwarded without delay to the collector of the district to which such vessel is bound. If, upon her arrival at the port of her entry, the packages so described, or any of them, are missing, or if any seal put thereon has been broken, the master shall be liable to a penalty for every package missing, or on which any seal shall be broken, of two hundred dollars.

Rev. Stat., § 3,070. The inspector who may be put on board of any vessel shall secure, after sunset in each evening, or previous to his quitting the vessel, the hatches and other communications with the hold of such vessel, or any other part thereof he may judge necessary, with locks or other proper fastening, which locks or other fastenings shall not be opened, broken, or removed until the morning following, or after the rising of the sun, and in the presence of the inspector by whom the same were affixed, except by special license from the collector of the port, and the naval officer, if any, first obtained. If the locks or other fastenings, or any of them, are broken or removed contrary to this section, or if any merchandise or packages are clandestinely landed, notice thereof shall be immediately given by the inspector to the collector and naval officer, if any, of the port where the vessel may be; and the master of such vessel shall, for each or every such offense, be liable to a penalty of five hundred dollars.

Rev. Stat., § 3,071. Every officer or other person authorized to make searches and seizures by this Title shall, at the time of executing any of the powers conferred upon him, make known, upon being questioned, his character as an officer or agent of the customs or Government, and shall have authority to demand of any person within the distance of three miles to assist him in making any arrests, search, or seizure authorized by this Title, where such assistance may be necessary; and if such person shall, without reasonable excuse, neglect or refuse so to assist, upon proper demand, he shall be deemed guilty of a misde-

meanor, punishable by a fine of not more than two hundred dollars, nor less than five dollars.

Vessel holden for Penalty.

Rev. Stat., § 3,088. Whenever a vessel, or the owner or master of a vessel, has become subject to a penalty for a violation of the revenue laws of the United States, such vessel shall be holden for the payment of such penalty, and may be seized and proceeded against summarily by libel to recover such penalty.

Commerce with Contiguous Countries.

Rev. Stat., § 3,095. Except into the districts hereinbefore described on the northern, northwestern, and western boundaries of the United States, adjoining to the Dominion of Canada, or into the districts adjacent to Mexico, no merchandise of foreign growth or manufacture, subject to the payment of duties, shall be brought into the United States from any foreign port in any other manner than by sea, nor in any vessel of less than thirty tons burden, agreeably to the admeasurement directed for ascertaining the tonnage of vessels; or landed or unladen at any other port than is directed by this Title, under the penalty of seizure and forfeiture of all such vessels, and of the merchandise imported therein, landed, or unladen in any other manner.

Rev. Stat., § 3,096. All persons may import any merchandise of which the importation shall not be entirely prohibited into the districts which are or may be established on the northern and northwestern boundaries of the United States, in vessels or boats of any burden, and in rafts or carriages of any kind or nature whatsoever.

Rev. Stat., § 3,097. All vessels, boats, rafts, and carriages, of what kind soever, arriving in such districts on the northern and northwestern frontiers, containing merchandise subject to duties, on being imported into any port of the United States, shall be reported to the collector, or other chief officer of the customs at the port of entry in the district into which it shall be so imported; and such merchandise shall be accompanied with like manifests, and like entries shall be made, by the persons having charge of any such vessels, boats, rafts, and carriages, and by the owners or consignees of the merchandise laden on board the same; and the powers and duties of the officers of the customs shall be exercised and discharged in the districts last mentioned in like manner as is prescribed in respect to merchandise imported in vessels from the sea; and, generally, all such importations shall be subject to like regulations, penalties, and forfeitures as in other districts, except as is hereinafter specially provided.

Rev. Stat., § 3,098. The master of any vessel, except registered vessels, and every person having charge of any boat, canoe, or raft, and the conductor or driver of any carriage or sleigh, and every other person, coming from any foreign territory adjacent to the United States into the United States with merchandise subject to duty, shall deliver, immediately on his arrival within the United States, a manifest of the cargo or loading of such vessel, boat, canoe, raft, carriage, or sleigh, or of the merchandise so brought from such foreign territory, at the office of any collector or deputy collector which shall be nearest to the boundary line, or nearest to the road or waters by which such merchandise is brought; and every such manifest shall be verified by the oath of such person delivering the same, which oath shall be taken before such collector or deputy

collector; and such oath shall state that such manifest contains a full, just, and true account of the kinds, quantities, and values of all the merchandise so brought from such foreign territory.

Rev. Stat., § 8,999. If the master, or other person having charge of any vessel, boat, canoe, or raft, or the conductor or driver of any carriage or sleigh, or other person bringing such merchandise, shall neglect or refuse to deliver the manifest required by the preceding section, or pass by or avoid such office, the merchandise subject to duty, and so imported, shall be forfeited to the United States, together with the vessel, boat, canoe, or raft, the tackle, apparel, and furniture of the same, or the carriage or sleigh, and harness and cattle drawing the same, or the horses with their saddles and bridles, as the case may be; and such master, conductor, or other importer shall be subject to a penalty of four times the value of the merchandise so imported.

Rev. Stat., § 8,100. All merchandise, and all baggage and effects of passengers, and all other articles imported into the United States from any contiguous foreign country, except as hereafter [hereinafter] provided, as well as the vessels, cars, and other vehicles and envelopes in which the same shall be imported, shall be unladen in the presence of, and be inspected by, an inspector or other officer of the customs, at the first port of entry or custom-house in the United States where the same shall arrive; and to enable the proper officer thoroughly to discharge this duty, he may require the owner or his agent, or other person, having charge or possession of any trunk, traveling-bag, or sack, valise, or other envelope, or of any closed vessel, car, or other vehicle, to open the same, or to deliver to him the proper key.

Rev. Stat., § 8,101. If any owner, agent, or other person shall refuse or neglect to comply with his demands, allowed by the preceding section, the officer shall retain such trunk, traveling-bag, or sack, valise, or whatsoever it may be, and open the same; and, as soon thereafter as may be practicable, examine the contents; and if any article subject to the payment of duty shall be found therein, the whole contents, together with the envelope, shall be forfeited to the United States, and disposed of as the law provides in other similar cases. If any such dutiable merchandise or article shall be found in any such vessel, car, or other vehicle, the owner, agent, or other person in charge of which shall have refused to open the same or deliver the key as herein provided, the same, together with the vessel, car, or other vehicle, shall be forfeited to the United States, and shall be held by such officer, to be disposed of as the law provides in other similar cases of forfeiture.

Rev. Stat., § 8,102. To avoid the inspection at the first port of arrival, the owner, agent, master, or conductor of any such vessel, car, or other vehicle, or owner, agent, or other person having charge of any such merchandise, baggage, effects, or other articles, may apply to any officer of the United States duly authorized to act in the premises to seal or close the same under and according to the regulations hereinafter authorized, previous to their importation into the United States; which officer shall seal or close the same accordingly; whereupon the same may proceed to their port of destination without further inspection. Every such vessel, car, or other vehicle shall proceed, without unnecessary delay, to the port of its destination, as named in the manifest of its cargo, freight, or contents, and be there inspected. Nothing contained in this section shall be construed to exempt such vessel, car, or vehicle, or its contents, from such ex-

amination as may be necessary and proper to prevent frauds upon the revenue and violations of this Title.

Secretary may make Regulations for sealing Vessels.

Rev. Stat., § 3,103. The Secretary of the Treasury is hereby authorized and required to make such regulations, and from time to time so to change the same as to him shall seem necessary and proper, for: sealing such vessels, cars, and other vehicles, when practicable, and for sealing, marking, and identifying such merchandise, baggage, effects, trunks, traveling-bags, or sacks, valises, and other envelopes and articles; and also in regard to invoices, manifests, and other pertinent papers, and their authentication.

Rev. Stat. § 3,104. If the owner, master, or person in charge of any vessel, car, or other vehicle so sealed, shall not proceed to the port or place of destination thereof named in the manifest of its cargo, freight, or contents; and deliver such vessel, car, or vehicle to the proper officer of the customs, or shall dispose of the same by sale or otherwise, or shall unload the same, or any part thereof, at any other than such port, or place, or shall sell or dispose of the contents of such vessel, car, or other vehicle, or any part thereof, before such delivery, he shall be deemed guilty of felony, and, on conviction thereof, before any court of competent jurisdiction, pay a fine not exceeding one thousand dollars, or shall be imprisoned for a term not exceeding five years, or both, at the discretion of the court; and such vessel, car, or other vehicle, with its contents, shall be forfeited to the United States, and may be seized wherever found within the United States, and disposed of and sold as in other cases of forfeiture. Nothing in this section, however, shall be construed to prevent sales of cargo, in whole or in part, prior to arrival, to be delivered as per manifest, and after due inspection.

Rev. Stat., § 3,106. Each vessel, car, or other vehicle, crate, box, bag, basket, barrel, bundle, cask, trunk, package, parcel, or other thing, with the cargo or contents thereof, from which the wire, seal, lead, lock, or other fastening or mark shall have been broken, cut, picked, opened, or removed by any such unauthorized person or persons, or to which such seal, or other thing purporting to be a seal, has been wrongfully attached, shall be forfeited.

Rev. Stat., § 3,109. The master of any foreign vessel, laden or in ballast, arriving in the waters of the United States from any foreign territory adjacent to the northern, northeastern, or northwestern frontiers of the United States, shall report at the office of any collector or deputy collector of the customs which shall be nearest to the point at which such vessel may enter such waters; and such vessel shall not proceed farther inland, either to unlade or take in cargo, without a special permit from such collector or deputy collector, issued under and in accordance with such general or special regulations as the Secretary of the Treasury may in his discretion, from time to time, prescribe. For any violation of this section such vessel shall be seized and forfeited.

Rev. Stat., § 3,110. If any merchandise shall, at any port in the United States on the northern, northeastern, or northwestern frontiers thereof, be laden upon any vessel belonging wholly or in part to the subject of a foreign country, and shall be taken thence to a foreign port to be reladen and reshipped to any other port in the United States, on such frontiers, either by the same or any other vessel, foreign or American, with intent to evade the

provisions relating to the transportation of merchandise from one port of the United States to another port of the United States, in a vessel belonging wholly or in part to a subject of any foreign power, the merchandise shall, on its arrival at such last-named port, be seized and forfeited to the United States, and the vessel shall pay a tonnage duty of fifty cents per ton on her admeasurement.

Rev. Stat., § 3,111. If any vessel enrolled or licensed to engage in the foreign and coasting trade on the northern, northeastern, and northwestern frontiers of the United States shall touch at any port in the adjacent British provinces, and the master of such vessel shall purchase any merchandise for the use of the vessel, the master of the vessel shall report the same, with cost and quantity thereof, to the collector or other officer of the customs at the first port in the United States at which he shall next arrive, designating them as "sea stores"; and in the oath to be taken by such master of such vessel, on making such report, he shall declare that the articles so specified or designated "sea stores" are truly intended for the use exclusively of the vessel, and are not intended for sale, transfer, or private use. If any other or greater quantity of dutiable articles shall be found on board such vessel than are specified in such report or entry of such articles, or any part thereof shall be landed without a permit from a collector, or other officer of the customs, such articles, together with the vessel, her apparel, tackle, and furniture shall be forfeited.

Rev. Stat., § 3,112. If, upon examination and inspection by the collector or other officer of the customs, such articles are not deemed excessive in quantity for the use of the vessel, until an American port may be reached by such vessel, where such sea stores can be obtained, such articles shall be declared free of duty; but if it shall be found that the quantity or quantities of such articles, or any part thereof so reported, are excessive, it shall be lawful for the collector or other officer of the customs to estimate the amount of duty on such excess, which shall be forthwith paid by the master of the vessel, on penalty of paying a sum of not less than one hundred dollars, nor more than four times the value of such excess, or such master shall be punishable by imprisonment for not less than three months and not more than two years.

Rev. Stat., § 3,113. Articles purchased for the use of or for sale on board any such vessel, as saloon stores or supplies, shall be deemed merchandise, and shall be liable, when purchased at a foreign port, to entry and the payment of the duties found to be due thereon, at the first port of arrival of such vessel in the United States; and for a failure on the part of the saloon-keeper or person purchasing or owning such articles to report, make entries, and pay duties, as hereinbefore required, such articles, together with the fixtures and other merchandise found in such saloon, or on or about such vessel belonging to and owned by such saloon-keeper or other person interested in such saloon, shall be seized and forfeited, and such saloon-keeper, or other person, so purchasing and owning, shall be liable to a penalty of not less than one hundred dollars and not more than five hundred, and shall be punishable by imprisonment for not less than three months and not more than two years.

Rev. Stat., § 3,114. The equipments, or any part thereof, including boats, purchased for, or the expenses of repairs made in a foreign country upon a vessel enrolled and licensed under the laws of the United States to engage in the foreign and coasting [domestic] trade on the northern, northeastern, and north-

western frontiers of the United States, or a vessel intended to be employed in such trade, shall, on the first arrival of such vessel in any part of the United States, be liable to entry and the payment of an ad valorem duty of fifty per centum on the cost thereof in such foreign country; and if the owner or master of such vessel shall willfully and knowingly neglect or fail to report, make entry, and pay duties as herein required, such vessel, with her tackle, apparel, and furniture, shall be seized and forfeited.

Rev. Stat., § 3,115. If the owner or master of such vessel shall, however, furnish good and sufficient evidence that such vessel, while in the regular course of her voyage, was compelled, by stress of weather or other casualty, to put into such foreign port and purchase such equipments, or make such repairs, to secure the safety of the vessel to enable her to reach her destination, then it shall be competent for the Secretary of the Treasury to remit or refund such duties, and such vessel shall not be liable to forfeiture, and no license or enrollment and license, or renewal of either, shall hereafter be issued to any such vessel until the collector to whom application is made for the same shall be satisfied, from the oath of the owner or master, that all such equipments and repairs made within the year immediately preceding such application have been duly accounted for under the provisions of this and the preceding sections, and the duties accruing thereon duly paid; and if such owner or master shall refuse to take such oath, or take it falsely, the vessel shall be seized and forfeited.

Rev. Stat., § 3,116. The master of every vessel enrolled or licensed to engage in the foreign and coasting [domestic] trade on the northern, northeastern, and northwestern frontiers of the United States, except canal-boats employed in navigating the canals within the United States, shall, before the departure of his vessel from a port in one collection district to a port in another collection district, present to the collector at the port of departure duplicate manifests of his cargo, or, if he have no cargo, duplicate manifests setting forth that fact; such manifests shall be subscribed and sworn to by the master before the collector, who shall indorse thereon his certificate of clearance, retaining one for the files of his office; the other he shall deliver for the use of the master.

Rev. Stat., § 3,117. If any vessel so enrolled or licensed shall touch at any intermediate port of the United States, and there discharge cargo taken on board at an American port, or at such intermediate ports shall take on board cargo destined for an American port, the master of such vessel shall not be required to report such lading or unlading at such intermediate ports, but shall enter the same on his manifest obtained at the original port of departure, which he shall deliver to the collector of the port at which the unlading of the cargo is completed, within twenty-four hours after arrival, and shall subscribe and make oath as to the truth and correctness of the same.

Rev. Stat., § 3,118. The master of any vessel so enrolled or licensed shall, before departing from a port in one collection district to a place in another collection district, where there is no custom-house, file his manifest, and obtain a clearance in the same manner, and make oath to the manifest, which manifest and clearance shall be delivered to the proper officer of customs at the port at which the vessel next arrives after leaving the place of destination specified in the clearance.

Rev. Stat., § 3,119. Nothing contained in the three preceding sections shall exempt masters of vessels from reporting, as now required by law, any mer-

chandise destined for any foreign port. No permit shall be required for the unloading of cargo brought from an American port.

Rev. Stat., § 3,120. No merchandise taken from any port in the United States on the northern, northeastern, or northwestern frontiers thereof, to a port in another collection district of the United States on such frontiers, in any vessel, shall be unladen or delivered from such vessel within the United States but in open day; that is to say, between the rising and setting of the sun, except by special license from the collector or other principal officer of the port for the purpose. The owner of every vessel whose master or manager shall neglect to comply with the provision of this section shall be liable to a penalty of not less than one hundred dollars, nor more than five hundred. The Secretary of the Treasury may from time to time make such regulations as to him shall seem necessary and expedient for unloading at and clearance from any port or place on such frontiers of ships or vessels at night. And that the Secretary of the Treasury be, and he is hereby authorized, in his discretion, to make such regulations as shall enable vessels engaged in the coasting [domestic] trade between ports and places upon Lake Michigan exclusively, and laden with American productions and free merchandise only, to unlade their cargoes without previously obtaining a permit to unlade.

Rev. Stat., § 3,121. The master of any vessel with cargo, passengers, or baggage from any foreign port shall obtain a permit, and comply with existing laws, before discharging or landing the same.

Rev. Stat., § 3,122. The master of any vessel so enrolled or licensed, destined with a cargo from a place in the United States, at which there may be no custom-house, to a port where there may be a custom-house, shall, within twenty-four hours after arrival at the port of destination, deliver to the proper officer of the customs a manifest, subscribed by him, setting forth the cargo laden at the place of departure, or laden or unladen at any intermediate port, or place, to the truth of which manifest he shall make oath before such officer. If the vessel, however, have no cargo, the master shall not be required to deliver such manifest.

Rev. Stat., § 3,123. Steam tugs duly enrolled and licensed to engage in the foreign and coasting [domestic] trade on the northern, northeastern, and northwestern frontiers of the United States, when exclusively employed in towing vessels, shall not be required to report and clear at the custom-house. When such steam tugs, however, are employed in towing rafts or other vessels without sail or steam motive power, not required to be enrolled or licensed under existing laws, they shall be required to report and clear in the same manner as hereinbefore provided in similar cases for other vessels.

Rev. Stat., § 3,124. The manifests, certificates of clearance, and oaths, provided for by the eight preceding sections, shall be in such form, and prepared, filled up, and executed in such manner, as the Secretary of the Treasury may from time to time prescribe.

Rev. Stat., § 3,125. If the master of any enrolled or licensed vessel shall neglect or fail to comply with any of the provisions or requirements of the nine preceding sections, such master shall forfeit and pay to the United States the sum of twenty dollars for each and every failure or neglect, and for which sum the vessel shall be liable, and may be summarily proceeded against by way of libel in any district court of the United States.

Rev. Stat., § 3,126. Any vessel, on being registered in pursuance of the laws

of the United States, may engage in trade between one port in the United States and one or more ports within the same, with the privilege of touching at one or more foreign ports during the voyage, and land and take in thereat merchandise, passengers and their baggage, and letters and mails. All such vessels shall be furnished by the collectors of the ports at which they shall take in their cargoes in the United States with certified manifests, setting forth the particulars of the cargoes, the marks, number of packages, by whom shipped, to whom consigned, at what port to be delivered; designating such merchandise as is entitled to drawback, or to the privilege of being placed in warehouse; and the masters of all such vessels shall, on their arrival at any port of the United States from any foreign port at which such vessel may have touched, as herein provided, conform to the laws providing for the delivery of manifests of cargo and passengers taken on board at such foreign port, and all other laws regulating the report and entry of vessels from foreign ports, and be subject to all the penalties therein prescribed.

Rev. Stat., § 3,129. The Secretary of the Treasury, with the approbation of the President, provided that the latter shall be satisfied that similar privileges are extended to vessels of the United States in the colonies hereinafter mentioned, is hereby authorized, under such regulations as he may prescribe, to protect the revenue from fraud, to permit vessels laden with the products of Canada, New Brunswick, Nova Scotia, Newfoundland, and Prince Edward Island, or either of them, to lade or unlade at any port within any collection district of the United States which he may designate; and if any such vessel entering a port so designated, to lade or unlade, shall neglect or refuse to comply with the regulations so prescribed by the Secretary of the Treasury, such vessel, and the owner and master thereof, shall be subject to the same penalties as if no authority under this section had been granted to lade or unlade in such port. (See § 2,771.)

[*Note.*—The above is the final section of Title xxxiv, which began with § 2,517. See the paragraphs immediately preceding the section last named.]

United States Vessels must receive Mails.

Rev. Stat., § 3,976. The master of any vessel of the United States bound from any port therein to any foreign port, or from any foreign port to any port of the United States, shall, before clearance, receive on board and securely convey all such mails as the Post-Office Department, or any diplomatic or consular officer of the United States abroad, shall offer; and he shall promptly deliver the same, on arriving at the port of destination, to the proper officer, for which he shall receive two cents for every letter so delivered; and, upon the entry of every such vessel returning from any foreign port, the master thereof shall make oath that he has promptly delivered all the mail placed on board said vessel before clearance from the United States; and if he shall fail to make such oath, the vessel shall not be entitled to the privileges of a vessel of the United States. (See § 4,208.)

Rev. Stat., § 3,977. The master of any steamboat passing between ports or places in the United States, and arriving at any such port or place where there is a post-office, shall deliver to the postmaster, within three hours after his arrival, if in the daytime, and if at night, within two hours after the next sunrise, all letters and packets brought by him, or within his power or control, and not

relating to the cargo, addressed to or destined for such port or place, for which he shall receive from the postmaster two cents for each letter or packet so delivered, unless the same is carried under a contract for carrying the mail; and for every failure to so deliver such letters and packets, the master or owner of the steamboat shall be liable to a penalty of one hundred and fifty dollars.

Rev. Stat., § 3,978. The Postmaster-General may pay, to the master or owner of any vessel not regularly employed in carrying the mail, two cents for each letter carried by such vessel between ports or places in the United States, or from any foreign port to any port in the United States; but all such letters shall be deposited in the post-office at the port of arrival.

Rev. Stat., § 3,979. Any person who shall paint, print, or in any manner place upon or attach to any steamboat or other vessel, or any stage-coach or other vehicle, not actually used in carrying the mail, the words "United States Mail," or any words, letters, or characters of like import; or any person who shall give notice, by publishing in any newspaper, or otherwise, that any steamboat or other vessel, or any stage-coach or other vehicle, is used in carrying the mail, when the same is not actually so used; or any person willfully aiding or abetting therein, shall, for every such offense, be punishable by a fine of not less than one hundred dollars, nor more than five hundred dollars.

Rev. Stat., § 3,983. The owner of every stage-coach, railway-car, steamboat, or other vehicle or vessel, which shall, with the knowledge of any owner, in whole or in part, or with the knowledge or connivance of the driver, conductor, master, or other person having charge of the same, convey any person acting or employed as a private express for the conveyance of letters or packets, and actually in the possession of the same for the purpose of conveying them, contrary to the spirit, true intent, and meaning of this title, shall, for every such offense, be liable to a penalty of one hundred and fifty dollars.

Rev. Stat., § 3,985. No stage-coach, railway-car, steamboat, or other vehicle or vessel, which regularly performs trips at stated periods on any post route, or from any city, town, or place to any other city, town, or place, between which the mail is regularly carried, shall carry, otherwise than in the mail, any letters or packets, except such as relate to some part of the cargo of such steamboat or other vessel, or to some article carried at the same time by the same stage-coach, railway-car, or other vehicle, except as provided in section three thousand nine hundred and ninety-three; and for every such offense the owner of the stage-coach, railway-car, steamboat, or other vehicle or vessel, shall be liable to a penalty of one hundred dollars; and the driver, conductor, master, or other person having charge thereof, and not at the time owner of the whole or any part thereof, shall, for every such offense, be liable to a penalty of fifty dollars.

Rev. Stat., § 3,986. No person shall carry any letter or packet on board any vessel which carries the mail otherwise than in such mail, except as provided in section three thousand nine hundred and ninety-three; and for every such offense the party offending shall be liable to a penalty of fifty dollars.

Rev. Stat., § 3,987. No vessel departing from the United States for any foreign port shall receive on board or convey any letter or packet originating in the United States, which has not been regularly received from the post-office at the port of departure, and which does not relate to the cargo of such vessel, except as provided in section three thousand nine hundred and ninety-three; and every collector, or other officer of the port empowered to grant clearances,

shall require from the master of such vessel, as a condition of clearance, an oath that he has not received on board, has not under his care or control, and will not receive or convey, any letter or packet contrary to the provisions of this section.

Rev. Stat., § 3,988. No vessel arriving within any port or collection district of the United States shall be allowed to make entry or break bulk until all letters on board are delivered at the nearest post-office, and the master thereof has signed and sworn to the following declaration, before the collector or other proper customs officer: "I, A. B., master of the, arriving from, and now lying in the port of, do solemnly swear (or affirm) that I have, to the best of my knowledge and belief, delivered, at the post-office at, every letter, and every bag, packet, or parcel of letters, which were on board the said vessel during her last voyage, or which were in my possession, or under my power or control." And any master who shall break bulk before he has delivered such letters, shall be liable to a penalty of not more than one hundred dollars, recoverable, one half to the officer making the seizure, and the other to the use of the United States.

Rev. Stat., § 3,989. Any special agent of the Post-Office Department, when instructed by the Postmaster-General to make examinations and seizures, and the collector or other customs officer of any port, without special instructions, shall carefully search all vessels for letters which may be on board, or which may have been conveyed contrary to law.

Rev. Stat., § 3,992. Nothing herein contained shall be construed to prohibit the conveyance or transmission of letters or packets by private hands without compensation, or by special messenger employed for the particular occasion only.

Rev. Stat., § 3,993. All letters inclosed in stamped envelopes, if the postage-stamp is of a denomination sufficient to cover the postage that would be chargeable thereon if the same were sent by mail, may be sent, conveyed, and delivered otherwise than by mail, provided such envelope shall be duly directed and properly sealed, so that the letter can not be taken therefrom without defacing the envelope, and the date of the letter or of the transmission or receipt thereof shall be written or stamped upon the envelope. But the Postmaster-General may suspend the operation of this section upon any mail route where the public interest may require such suspension.

Rev. Stat., § 3,996. Any ferryman who shall delay the passage of the mail by willful neglect or refusal to transport the same across any ferry shall, for every ten minutes such mail may be so delayed, be liable to a penalty of ten dollars.

Rev. Stat., § 4,016. All letters or other mailable matter conveyed to or from any part of the United States, by any foreign vessel, except such sealed letters, relating to such vessel, or any part of the cargo thereof, as may be directed to the owners or consignees of the vessel, shall be subject to postage charge whether addressed to any person in the United States or elsewhere, provided they are conveyed by the packet or other ship of a foreign country imposing postage on letters or mailable matter conveyed to or from such country by any vessel of the United States; and such letters or other mailable matter carried in foreign vessels, except such sealed letters, relating to the vessel, or any part of the cargo thereof, as may be directed to the owners or consignees, shall be delivered into the United States post-office by the master of such vessel when

arriving, and be taken from a United States post-office when departing, and the postage paid thereon, justly chargeable by this Title, and for refusing or failing to do so, or for conveying such letters, or any letters intended to be conveyed, in any vessel of such foreign country over or across the United States, or any portion thereof, the party offending shall be punishable by a fine of not more than one thousand dollars for each offense.

What Vessels shall be deemed Vessels of the United States.

Rev. Stat., § 4,131. Vessels registered pursuant to law, and no others, except such as shall be duly qualified, according to law, for carrying on the coasting trade and fisheries, or one of them, shall be deemed vessels of the United States, and entitled to the benefits and privileges appertaining to such vessels; but they shall not enjoy the same longer than they shall continue to be wholly owned by citizens and to be commanded by a citizen of the United States. And officers of vessels of the United States shall in all cases be citizens of the United States. (See §§ 2,174, 4,311, 4,214.)

Tonnage to be Marked upon the Main Beam.

Rev. Stat. § 4,153. . . . In every registered United States vessel the number denoting the total registered tonnage shall be deeply carved, or otherwise permanently marked, on her main beam, and shall be so continued; and if it at any time cease to be so continued, such vessel shall no longer be recognized as a registered vessel of the United States. (See § 4,312.)

"Measurement of Foreign Vessels." [?]

Rev. Stat., § 4,154. In order to ascertain the tonnage of any vessel, except as otherwise provided in this Title, and in Title L, the surveyor, or such other person as shall be appointed by the collector of the district to measure the same, shall, if the vessel be double-decked, take the length thereof from the fore part of the main stem to the after part of the stern post, above the upper deck, the breadth thereof at the broadest part above the main wales, half of which breadth shall be accounted the depth of such vessel, and shall then deduct from the length three fifths of the breadth, multiply the remainder by the breadth, and the product by the depth, and shall divide this last product by ninety-five, the quotient whereof shall be deemed the true contents or tonnage of such vessel. If such vessel be single-decked, the surveyor, or other person, shall take the length and breadth as above directed, in respect to a double-decked vessel, shall deduct from the length three fifths of the breadth, and, taking the depth from the under side of the deck plank to the ceiling in the hold, shall multiply and divide in the same manner, and the quotient shall be deemed the tonnage of such vessel. [It was declared by section 63 of Chap. xxii, March 2, 1799, "That the duties imposed by law on the tonnage of any ship or vessel shall be paid to the collector, at the time of making entry of such ship or vessel"; . . . And section 64 had declared, "That, to ascertain the tonnage of *any* ship or vessel, the surveyor, or such other person as shall be appointed by the collector of the district to measure the same, shall," etc., giving the mode, which has been reproduced as section 4,154. Chap. lxxiii, May 6, 1864, prescribed a different mode for measuring vessels, but did not, in terms, declare it applicable to vessels other than those of the United States. The Treasury, by Article 136, General

Regulations of 1874, instructed collectors to ascertain the tonnage of foreign vessels by the same rules as those applied to vessels of the United States, when it should be necessary for the assessment of tonnage duty, and to have a certificate of such measurement filed in the custom-house. In practice, section 4,154 is disregarded, as a compilation of superseded law.]

Registry, after Sale Abroad.

Rev. Stat., § 4,166. When any vessel, registered pursuant to any law of the United States, shall, while she is without the limits of the United States, be sold or transferred, in whole or in part, to a citizen of the United States, such vessel, on her first arrival in the United States thereafter, shall be entitled to all the privileges and benefits of a vessel of the United States: *Provided*, That all the requisites of law, in order to the registry of vessels, shall be complied with, and a new certificate of registry obtained for such vessel, within three days from the time at which the master, or other person having the charge or command of such vessel, is required to make his final report upon her first arrival afterward.

Oath of Owner on Entrance of Vessel.

Rev. Stat., § 4,173. Upon the entry of every vessel of the United States from any foreign port, if the same shall be at the port at which the owner, or any of the part owners, reside, such owner, or part owner, shall make oath that the register of such vessel contains the name or names of all the persons who are then owners of the vessel; or if any part of such vessel has been sold or transferred since the granting of such register, that such is the case, and that no foreign subject or citizen has, to the best of his knowledge and belief, any share, by way of trust, confidence, or otherwise, in such vessel. If the owner, or any part owner, does not reside at the port at which such vessel enters, the master shall make oath to the like effect. If the owner, or part owner, where there is one, or the master where there is no owner, refuses so to swear, such vessel shall not be entitled to the privileges of a vessel of the United States.

Official Number to be Marked on the Main Beam.

Rev. Stat., § 4,177. The Secretary of the Treasury shall have power, under such regulations as he shall prescribe, to establish and provide a system of numbering vessels so registered, enrolled, and licensed; and each vessel so numbered shall have her number deeply carved, or otherwise permanently marked, on her main beam; and if at any time she shall cease to be so marked, such vessel shall be no longer recognized as a vessel of the United States.

Name and Home Port on the Stern.

Rev. Stat., § 4,178. The name of every registered vessel, and of the port to which she shall belong, shall be painted on her stern, on a black ground in white letters, of not less than three inches in length. If any vessel of the United States shall be found without having her name and the name of the port to which she belongs so painted, the owner or owners shall be liable to a penalty of fifty dollars, recoverable, one half to the person giving the information thereof, the other half to the use of the United States. (See §§ 4,812, 4,834.) The letters may be yellow or gilt. [Chap. cccclxvii, June 23, 1874.]

Change or Concealment of Vessel's Name.

Rev. Stat., § 4,179. No master, owner, or agent of any vessel of the United States shall in any way change the name of such vessel, or by any device, advertisement, or contrivance to deceive, or attempt to deceive, the public, or any officer or agent of the United States, or of any State, or any corporation or agent thereof, or any person or persons, as to the true name or character of such vessel, on pain of forfeiture of such vessel.

Change of Name by the Treasury.

Act March 2, 1881. That the Secretary of the Treasury be, and hereby is, authorized to permit the owner or owners of any vessel duly enrolled [documented] and found seaworthy and free from debt, to change the name of the same, when, in his opinion, there shall be sufficient cause for so doing.

§ 2. That the Secretary of the Treasury shall establish such rules and regulations, and procure such evidence as to the age, condition, where built, and pecuniary liability of the vessel, as he may deem necessary to prevent injury to public or private interests; and when permission is granted by the Secretary, he shall cause the order for the change of name to be published at least in four issues in some daily or weekly paper at the place of register [documenting]; and the cost of procuring evidence and advertising the change of name to be paid by the person or persons desiring such change of name. (For instructions, see Treasury Circular No. 22, of 1881.)

Production of Certificate of Record.

Rev. Stat., § 4,184. The master or other person having the command or charge of any vessel, recorded in pursuance of this Title, shall, on entry of such vessel, produce the certificate of such record to the collector of the district where she is so entered; and, in default thereof, the vessel shall not be entitled to the privileges of a recorded vessel.

Fees for Surveyor's Services.

Rev. Stat., § 4,186. The fees to be allowed and paid to surveyors shall be as follows: For the admeasurement and certifying the same, of any vessel [of one hundred tons and under, one cent per ton; for the admeasurement of any vessel above one hundred tons and not exceeding two hundred tons, one dollar and fifty cents; for the admeasurement of any vessel above two hundred tons, two dollars;] for all other services to be performed by such surveyor, on board of any vessel of one hundred tons or upward, having on board goods, wares, or merchandise subject to duty, three dollars; for the like services on board any vessel of less than one hundred tons burden, having on board goods, wares, or merchandise subject to duty, one and a half dollars; on all vessels not having on board goods, wares, or merchandise subject to duty, two thirds of a dollar. All such fees shall be paid by the master or owner of the vessel in which the services shall be performed to the surveyor by whom they shall be performed; if performed by one only, for his sole benefit, but if performed by more than one, to him who shall have the first agency, to be divided in equal parts between him and the other or others by whom the services shall also be performed. [But the charge for measurement of tonnage and certifying the same shall not exceed the sum

of] (one dollar and fifty cents for each transverse section under the tonnage deck; and the sum of three dollars for measuring each between-decks above the tonnage deck; and the sum of one dollar and fifty cents for each poop, or closed-in space available for cargo or stores, or for the berthing or accommodation of passengers, or officers and crew, above the upper or spar deck.) [Note.—The parts in brackets are disregarded as a compilation of obsolete law, and the part in parenthesis is read as if it appeared at the beginning of the section, in place of what is there found inclosed in brackets.]

Sea Letter.

Rev. Stat., § 4,190. No sea letter or other document certifying or proving any vessel to be the property of a citizen of the United States, shall be issued except to vessels duly registered, or enrolled and licensed as vessels of the United States, or to vessels which* shall be wholly owned by citizens of the United States, and furnished with or entitled to sea letters or other custom-house documents. [This section, except that it omits the words "at that time," i. e., June 30, 1810, from the place marked with a star, is word for word from Chap. xix, March 26, 1810.]

Clearance for a Foreign Port.

Rev. Stat., § 4,197. The master or person having the charge or command of any vessel bound to a foreign port shall deliver to the collector of the district from which such vessel is about to depart a manifest of all the cargo on board the same, and the value thereof, by him subscribed, and shall swear to the truth thereof; whereupon the collector shall grant a clearance for such vessel and her cargo, but without specifying the particulars thereof in the clearance, unless required by the master, or other person having the charge or command of such vessel, so to do. If any vessel bound to a foreign port departs on her voyage to such foreign port without delivering such manifest and obtaining a clearance, as hereby required, the master, or other person having the charge or command of such vessel, shall be liable to a penalty of five hundred dollars for every such offense.

Rev. Stat., § 4,198. The oath to be taken by the master or commander of the vessel shall be as follows: District of I (insert the name), master or commander of the (insert the denomination and name of the vessel), bound from the port of (insert the name of the port or place sailing from) to (insert the name of the port or place bound to), do solemnly, sincerely, and truly swear (or affirm, as the case may be) that the manifest of the cargo on board the said (insert denomination and name of the vessel), now delivered by me to the collector of this district, and subscribed with my name, contains, according to the best of my knowledge and belief, a full, just, and true account of all the goods, wares, and merchandise now actually laden on board the said vessel, and of the value thereof; and if any other goods, wares, or merchandise shall be laden or put on board the said (insert denomination and name of vessel) previous to her sailing from this port, I will immediately report the same to the said collector. I do also swear (or affirm) that I verily believe the duties on all the foreign merchandise therein specified have been paid or secured according to law, and that no part thereof is intended to be relanded within the United States, and that if, by distress or other unavoidable accident, it shall become necessary to reland the

same, I will forthwith make a just and true report thereof to the collector of the customs of the district wherein such distress or accident may happen. So help me God.

Rev. Stat., § 4,199. The form of the report and manifest to be delivered to the collector shall be as follows:

Report and manifest of the cargo laden at the port of, on board the,, master, bound for port

Marks.	Numbers.	Packages or articles in bulk.	Contents or quantities.	Value at the port of exportation.

[Note.—By Treasury Circular of September 12, 1867, the form of outward manifest foreign was modified, as follows:

Report and manifest of the cargo laden at the port of, on board the, whereof is master, bound for Tonnage Crew 18—.

Marks.	Numbers.	Packages and contents.	Quantities, lbs, gallons, etc.	No. 1.	No. 2.	No. 3.	No. 4.	No. 5.	To be landed at.
				Value of domestic merchandise.	Value of foreign merchandise free.	Value of foreign merchandise from bonded warehouse.	Value of foreign merchandise not from bonded warehouse which has paid duties.	Value of foreign merchandise on the passage in transitu from one foreign country to another.	

Shippers' Manifests.

Rev. Stat., § 4,200. Before a clearance shall be granted for any vessel bound to a foreign port, the owners, shippers, or consignors of the cargo of such vessel shall deliver to the collector manifests of the cargo, or the parts thereof shipped by them, respectively, and shall verify the same by oath. Such manifests shall specify the kinds and quantities of the articles shipped, respectively, and the value of the total quantity of each kind of articles; and the oath to each manifest shall state that it contains a full, just, and true account of all articles laden on board of such vessels by the owners, shippers, or consignors, respectively, and that the values of such articles are truly stated, according to their actual cost, or the values which they truly bear at the port and time of exportation.

And before a clearance shall be granted for any such vessel, the master of that vessel, and the owners, shippers, and consignors of the cargo, shall state, upon oath, to the collector, the foreign port or country in which such cargo is truly intended to be landed. The oaths shall be taken and subscribed in writing.

Form of a Clearance Foreign.

Rev. Stat., § 4,201. The form of a clearance to be granted to a ship or vessel on her departure to a foreign port or place shall be as follows:

District of }
 Port of } ss.

These are to certify all whom it doth concern, that, master or commander of the, burden tons, or thereabouts, mounted with guns, navigated with men, built, and bound for, having on board, hath here entered and cleared his said vessel according to law. Given under our hands and seals, at the custom-house of, this .. day of one thousand, and in the year of the Independence of the United States of America.

Merchandise Liable to Inspection.

Rev. Stat., § 4,202. The collectors and other officers of the customs shall pay due regard to the inspection laws of the States in which they may respectively act, in such manner that no vessel having on board goods liable to inspection shall be cleared until the master, or other proper person, shall have produced such certificate that all such goods have been duly inspected, as the laws of the respective States may require to be produced to collectors or other officers of the customs.

Conveyance of the Mails.

Rev. Stat., § 4,203. All vessels belonging to citizens of the United States, and bound from any port in the United States to any foreign port, or from any foreign port to any port in the United States, shall, before clearance, receive on board and securely convey all such mails as the Post-Office Department of the United States, or any minister, consul, or commercial agent of the United States abroad shall offer, and shall promptly deliver the same to the proper authorities, on arriving at the port of destination, and shall receive for such service such reasonable compensation as may be allowed by law.

Conveyance of Bullion, Notes, Bonds, etc.

Rev. Stat., § 4,204. All vessels belonging to citizens of the United States, and bound from any port in the United States to any other port therein, or to any foreign port, or from any foreign port to any port in the United States, shall, before clearance, receive on board all such bullion, coin, United States notes and bonds and other securities, as the Government of the United States, or any department thereof, or any minister, consul, vice-consul, or commercial or other agent of the United States abroad, shall offer, and shall securely convey and promptly deliver the same to the proper authorities or consignees, on arriving at the port of destination; and shall receive for such service such reasonable compensation as may be allowed to other carriers in the ordinary transaction of business.

Clearance with Cargo of Live-oak.

Rev. Stat., § 4,205. Collectors of the collection districts within the States of Florida, Alabama, Mississippi, and Louisiana, before allowing a clearance to any vessel laden in whole or in part with live-oak timber, shall ascertain satisfactorily that such timber was cut from private lands, or, if from public lands, by consent of the Department of the Navy.

Proof that the Vessel has Paid all Legal Charges.

Rev. Stat., § 4,206. Previous to a clearance being granted to any vessel, outward bound, the legal fees which shall have accrued on such vessel shall be paid at the offices where such fees are respectively payable; and receipts for the same shall be produced to the collector or other officer whose duty it may be to grant clearances, before a clearance is granted.

Schedule of Consular Fees to be Furnished.

Rev. Stat., § 4,207. Whenever any clearance is granted to any vessel of the United States, duly registered as such, and bound on any foreign voyage, the collector of the district shall annex thereto, in every case, a copy of the rates or tariffs of fees which diplomatic and consular officers are entitled, by the regulations prescribed by the President, to receive for their services. [Note.—The schedule is printed on the back of the clearance.]

Steamboats on Lake Champlain.

Rev. Stat., § 4,208. The master or person having charge or command of any steamboat on Lake Champlain, when going from the United States into the Province of Quebec, may deliver a manifest of the cargo on board, and take a clearance from the collector of the district through which any such boat shall last pass when leaving the United States, without regard to the place from which any such boat shall have commenced her voyage, or where her cargo shall have been taken on board.

Foreign Consul may hold Register.

Rev. Stat., § 4,209. The register, or other document in lieu thereof, together with the clearance and other papers granted by the officers of the customs to any foreign vessel, at her departure from the port from which she may have arrived, shall, previous to her entry in any port of the United States, be produced to the collector with whom such entry is to be made. It shall be the duty of the master, within forty-eight hours after such entry, to deposit the papers with the consul or vice-consul of the nation to which the vessel belongs, and to deliver to the collector the certificate of such consul or vice-consul that the papers have been so deposited. Every master who fails to comply with this regulation shall be punishable by a fine of not less than five hundred dollars, nor more than two thousand dollars.

Rev. Stat., § 4,210. The preceding section shall not extend to the vessels of foreign nations in whose ports American consuls are not permitted to have the custody and possession of the register and other papers of vessels entering the ports of such nation.

Rev. Stat., § 4,211. It shall not be lawful for any foreign consul to deliver to the master of any foreign vessel the register and other papers deposited with him, pursuant to the provisions of the preceding section, until such master shall produce to him a clearance in due form from the collector of the port where such vessel has been entered. Any consul offending against the provisions of this section shall be fined not less than five hundred dollars, nor more than five thousand.

Oath of Delivery of Mails Abroad.

Rev. Stat., § 4,212. Upon the entry of every vessel of the United States from any foreign port, the master thereof shall make return, on oath, showing that he has promptly delivered at such foreign port all mails placed on board of the vessel under his command before clearance from the United States. And in case the master shall fail to make such oath, showing that he has delivered the mails placed on board his vessel in good faith, the vessel shall not be entitled to the privileges of a vessel of the United States. (See § 2,774.)

Copies of Consular Fee Bills.

Rev. Stat., § 4,213. It shall be the duty of all owners, agents, consignees, masters, and commanders of vessels to whom any receipt for fees shall be given by any consular officer, to furnish a copy thereof to the collector of the district in which such vessels shall first arrive on their return to the United States. And it shall also be the duty of every collector to forward to the Secretary of the Treasury all such copies of receipts as shall have been so furnished to him, and also a statement of all certified invoices which shall have come to his office, giving the dates of the certificates, and the names of the persons for whom, and of the consular officers by whom, the same were certified.

Pleasure Yachts.

Rev. Stat., § 4,214. The Secretary of the Treasury may cause yachts used and employed exclusively as pleasure vessels, and designed as models of naval architecture, if entitled to be enrolled as American vessels, to be licensed on terms which will authorize them to proceed from port to port of the United States, and by sea to foreign ports, without entering or clearing at the custom-house. Such license shall be in such form as the Secretary of the Treasury may prescribe. The owner of any such vessel, before taking out such license, shall give a bond, in such form and for such amount as the Secretary of the Treasury shall prescribe, conditioned that the vessel shall not engage in any unlawful trade, nor in any way violate the revenue laws of the United States, and shall comply with the laws in all other respects. Such vessels so enrolled and licensed shall not be allowed to transport merchandise or carry passengers for pay. Such vessels shall, in all respects, except as above, be subject to the laws of the United States, and shall be liable to seizure and forfeiture for any violation of the provisions of this Title.

Rev. Stat., § 4,215. All such licensed yachts shall use a signal of the form, size, and colors prescribed by the Secretary of the Navy; and the owners thereof shall at all times permit the naval architects in the employ of the United States to examine and copy the models of such yachts.

Rev. Stat., § 4,216. Yachts belonging to a regularly-organized yacht-club of any foreign nation which shall extend like privileges to the yachts of the United States, shall have the privilege of entering or leaving any port of the United States without entering or clearing at the custom-house thereof, or paying tonnage tax.

Rev. Stat., § 4,217. For the identification of yachts and their owners, a commission to sail for pleasure in any designated yacht belonging to any regularly-organized and incorporated yacht-club, stating the exemptions and privileges

enjoyed under it, may be issued by the Secretary of the Treasury, and shall be a token of credit to any United States official, and to the authorities of any foreign power, for privileges enjoyed under it.

Rev. Stat., § 4,218. Every yacht visiting a foreign country under the provisions of the four preceding sections shall, on her return to the United States, make due entry at the custom-house of the port at which, on such return, she shall arrive.

Tonnage Duty.

Rev. Stat., § 4,219. Upon vessels which shall be entered in the United States from any foreign port or place there shall be paid duties as follows: On vessels built within the United States, but belonging wholly or in part to subjects of foreign powers, at the rate of thirty cents per ton; on other vessels not of the United States, at the rate of fifty cents per ton. Upon every vessel not of the United States, which shall be entered in one district from another district, having on board goods, wares, or merchandise taken in one district to be delivered in another district, duties shall be paid at the rate of fifty cents per ton. Nothing in this section shall be deemed in any wise to impair any rights or privileges which have been or may be acquired by any foreign nation under the laws and treaties of the United States relative to the duty of tonnage on vessels. On all foreign vessels which shall be entered in the United States from any foreign port or place, to and with which vessels of the United States are not ordinarily permitted to enter and trade, there shall be paid a duty at the rate of two dollars per ton; and none of the duties on tonnage above mentioned shall be levied on the vessels of any foreign nation if the President of the United States shall be satisfied that the discriminating or countervailing duties of such foreign nations, so far as they operate to the disadvantage of the United States, have been abolished. In addition to the tonnage duty above imposed, there shall be paid a tax, at the rate of thirty cents per ton, on vessels which shall be entered at any custom-house within the United States from any foreign port or place; and any rights or privileges acquired by any foreign nation under the laws and treaties of the United States relative to the duty of tonnage on vessels shall not be impaired; and any vessel, any officer of which shall not be a citizen of the United States, shall pay a tax of fifty cents per ton.

Rev. Stat., § 4,220. No vessel belonging to any citizen of the United States, trading from one port within the United States to another port within the United States, or employed in the bank, whale, or other fisheries, shall be subject to tonnage tax or duty, if such vessel be licensed, registered, or enrolled.

Rev. Stat., § 4,221. In cases of vessels making regular daily trips between any port of the United States and any port in the Dominion of Canada, wholly upon interior waters not navigable to the ocean, no tonnage or clearance fees shall be charged against such vessel by the officers of the United States, except upon the first clearing of such vessel in each year. (See § 2,793.)

Consular Tonnage Fees in Canada.

Rev. Stat., § 4,222. No consul or consular agent of the United States shall exact tonnage fees from any vessel of the United States, touching at or near ports in Canada, on her regular voyage from one port to another within the United States, unless such consul or consular agent shall perform some official

services, required by law for such vessel, when she shall thus touch at a Canadian port.

Rev. Stat., § 4,223. The tonnage duty imposed on all vessels engaged in foreign commerce shall be levied but once within one year, and, when paid by such vessel, no further tonnage tax shall be collected within one year from the date of such payment. But this provision shall not extend to foreign vessels entered in the United States from any foreign port, to and with which vessels of the United States are not ordinarily permitted to enter and trade.

Rev. Stat., § 4,224. Vessels which pay tonnage duties once in a year shall pay the same either at their first clearance from or entry at, according to priority, a custom-house in the United States in each calendar year. Nothing in this section contained shall be construed to prevent customs officers from collecting such tonnage duty at the entry of vessels at their respective custom-houses during the calendar year, if the same has not previously been paid for such year. [This section is inoperative, as a compilation of superseded law. See Decision 1,928 of 1874.]

Light Money.

Rev. Stat., § 4,225. A duty of fifty cents per ton, to be denominated "light money," shall be levied and collected on all vessels not of the United States which may enter the ports of the United States. Such light money shall be levied and collected in the same manner and under the same regulations as the tonnage duties.

Rev. Stat., § 4,226. The preceding section shall not be deemed to operate upon unregistered vessels, owned by citizens of the United States, and carrying a sea letter, or other regular document, issued from a custom-house of the United States, proving the vessel to be American property. Upon the entry of every such vessel from any foreign port, if the same shall be at the port at which the owner or any of the part owners reside, such owner or part owners shall make oath that the sea letter or other regular document possessed by such vessel contains the name or names of all the persons who are then the owners of the vessel; or if any part of such vessel has been sold or transferred since the date of such sea letter or document, that such is the case, and that no foreign subject or citizen has, to the best of his knowledge and belief, any share, by way of trust, confidence, or otherwise, in such vessel. If the owner, or any part owner, does not reside at the port or place at which such vessel shall enter, then the master shall make oath to the like effect. If the owner, or part owner, where there is one, or the master, where there is no owner, shall refuse to so swear, such vessel shall not be entitled to the privileges granted by this section. (See §§ 4,190 and 4,308.)

Rights under Laws and Treaties.

Rev. Stat., § 4,227. Nothing contained in this Title shall be deemed in any wise to impair any rights and privileges which have been or may be acquired by any foreign nation under the laws and treaties of the United States relative to the duty on tonnage of vessels, or any other duty on vessels.

Discriminating Tonnage Duty.

Rev. Stat., § 4,228. Upon satisfactory proof being given to the President, by the government of any foreign nation, that no discriminating duties of tonnage

or imposts are imposed or levied in the ports of such nation upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise imported in the same from the United States or from any foreign country, the President may issue his proclamation, declaring that the foreign discriminating duties of tonnage and impost within the United States are suspended and discontinued, so far as respects the vessels of such foreign nation, and the produce, manufactures, or merchandise imported into the United States from such foreign nation, or from any other foreign country; the suspension to take effect from the time of such notification being given to the President, and to continue so long as the reciprocal exemption of vessels, belonging to citizens of the United States, and their cargoes, shall be continued, and no longer.

Prussian Vessels.

Rev. Stat., § 4,229. No other or higher rate of duties shall be imposed or collected on vessels of Prussia, or of her dominions, from whencesoever coming, nor on their cargoes, howsoever composed, than are or may be payable on vessels of the United States, and their cargoes.

Rev. Stat., § 4,230. The preceding section shall continue and be in force during the time that the equality for which it provides shall, in all respects, be reciprocated in the ports of Prussia and her dominions; and if at any time hereafter the equality shall not be reciprocated in the ports of Prussia and her dominions, the President may issue his proclamation declaring that fact, and thereupon the section preceding shall cease to be in force.

Spanish Vessels.

Rev. Stat., § 4,231. From Spanish vessels coming from any port or place in Spain or her colonies, where no discriminating or countervailing duties or tonnage are levied upon vessels of the United States, or from any other port or place to and with which vessels of the United States are ordinarily permitted to go and trade, there shall be exacted in the ports of the United States no other or greater duty on tonnage than at the time may be exacted of vessels of the United States.

Mail Steamships with Brazil.

Rev. Stat., § 4,232. The mail steamships employed in the mail service between the United States and Brazil shall be exempt from all port charges and custom-house dues at the port of departure and arrival in the United States if, and so long as, a similar immunity from port charges and custom-house dues is granted by the government of Brazil.

Rules for Preventing Collisions.

Rev. Stat., § 4,233. The following rules for preventing collisions on the water shall be followed in the navigation of vessels of the navy and of the mercantile marine of the United States:

Rule 1. Every steam vessel which is under sail, and not under steam, shall be considered a sail vessel; and every steam vessel which is under steam, whether under sail or not, shall be considered a steam vessel.

Lights.

Rule 2. The lights mentioned in the following rules, and no others, shall be carried, in all weathers, between sunset and sunrise.

Rule 3. All ocean-going steamers, and steamers carrying sail, shall, when under way, carry :

(A) At the foremast-head a bright, white light, of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least five miles, and so constructed as to show a uniform and unbroken light over an arc of the horizon of twenty points of the compass, and so fixed as to throw the light ten points on each side of the vessel, namely : From right ahead to two points abaft the beam on either side.

(B) On the starboard side a green light, of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least two miles, and so constructed as to show a uniform and unbroken light over an arc of the horizon of ten points of the compass, and so fixed as to throw the light from right ahead to two points abaft the beam on the starboard side.

(C) On the port side a red light, of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least two miles, and so constructed as to show a uniform and unbroken light over an arc of the horizon of ten points of the compass, and so fixed as to throw the light from right ahead to two points abaft the beam on the port side.

The green and red lights shall be fitted with inboard screens, projecting at least three feet forward from the lights, so as to prevent them from being seen across the bow.

Rule 4. Steam vessels, when towing other vessels, shall carry two bright, white mast-head lights vertically, in addition to their side-lights, so as to distinguish them from other steam vessels. Each of these mast-head lights shall be of the same character and construction as the mast-head lights prescribed by Rule 3.

Rule 5. All steam vessels, other than ocean-going steamers and steamers carrying sail, shall, when under way, carry on the starboard and port sides lights of the same character and construction, and in the same position, as are prescribed for side-lights by Rule 3, except in the case provided in Rule 6.

Rule 6. River steamers navigating waters flowing into the Gulf of Mexico, and their tributaries, shall carry the following lights, namely : One red light on the outboard side of the port smoke-pipe, and one green light on the outboard side of the starboard smoke-pipe. Such lights shall show both forward and abeam on their respective sides.

Rule 7. All coasting steam vessels, and steam vessels other than ferry-boats and vessels otherwise expressly provided for, navigating the bays, lakes, rivers, or other inland waters of the United States, except those mentioned in Rule 6, shall carry the red and green lights, as prescribed for ocean-going steamers; and, in addition thereto, a central range of two white lights; the after-light being carried at an elevation of at least fifteen feet above the light at the head of the vessel. The head-light shall be so constructed as to show a good light through twenty points of the compass, namely : From right ahead to two points abaft the beam on either side of the vessel; and the after-light so as to show all around the horizon. The lights for ferry-boats shall be regulated by such rules as the board of supervising inspectors of steam vessels shall prescribe.

Rule 8. Sail vessels, under way or being towed, shall carry the same lights as steam vessels under way, with the exception of the white mast-head lights, which they shall never carry.

Rule 9. Whenever, as in the case of small vessels during bad weather, the green and red lights can not be fixed, these lights shall be kept on deck, on their respective sides of the vessel, ready for instant exhibition, and shall, on the approach of or to other vessels, be exhibited on their respective sides in sufficient time to prevent collision, in such manner as to make them most visible, and so that the green light shall not be seen on the port side, nor the red light on the starboard side. To make the use of these portable lights more certain and easy, they shall each be painted outside with the color of the light they respectively contain, and shall be provided with suitable screens.

Rule 10. All vessels, whether steam vessels or sail vessels, when at anchor in roadsteads or fairways, shall, between sunset and sunrise, exhibit, where it can best be seen, but at a height not exceeding twenty feet above the hull, a white light in a globular lantern of eight inches in diameter, and so constructed as to show a clear, uniform, and unbroken light, visible all around the horizon, and at a distance of at least one mile.

Rule 11. Sailing pilot vessels shall not carry the lights required for other sailing vessels, but shall carry a white light at the mast-head, visible all around the horizon, and shall also exhibit a flare-up light every fifteen minutes.

Rule 12. Coal-boats, trading-boats, produce-boats, canal-boats, oyster-boats, fishing-boats, rafts, or other water-craft, navigating any bay, harbor, or river, by hand-power, horse-power, sail, or by the current of the river, or which shall be anchored or moored in or near the channel or fairway of any bay, harbor, or river, shall carry one or more good white lights, which shall be placed in such manner as shall be prescribed by the board of supervising inspectors of steam vessels.

Rule 13. Open boats shall not be required to carry the side-lights required for other vessels, but shall, if they do not carry such lights, carry a lantern having a green slide on one side and a red slide on the other side; and, on the approach of or to other vessels, such lantern shall be exhibited in sufficient time to prevent collision, and in such a manner that the green light shall not be seen on the port side, nor the red light on the starboard side. Open boats, when at anchor or stationary, shall exhibit a bright white light. They shall not, however, be prevented from using a flare-up, in addition, if considered expedient.

Rule 14. The exhibition of any light on board of a vessel of war of the United States may be suspended whenever, in the opinion of the Secretary of the Navy, the commander-in-chief of a squadron, or the commander of a vessel acting singly, the special character of the service may require it.

Fog Signals.

Rule 15. Whenever there is a fog, or thick weather, whether by day or night, fog signals shall be used, as follows:

(A) Steam vessels under way shall sound a steam whistle placed before the funnel, not less than eight feet from the deck, at intervals of not more than one minute.

(B) Sail vessels under way shall sound a fog-horn at intervals of not more than five minutes.

(C) Steam vessels and sail vessels, when not under way, shall sound a bell at intervals of not more than five minutes.

(D) Coal-boats, trading-boats, produce-boats, canal-boats, oyster-boats, fish-

ing-boats, rafts, or other water-craft, navigating any bay, harbor, or river, by hand-power, horse-power, sail, or by the current of the wind, or anchored or moored in or near the channel or fairway of any bay, harbor, or river, and not in any port, shall sound a fog-horn, or equivalent signal, which shall make a sound equal to a steam whistle, at intervals of not more than two minutes.

Steering and Sailing Rules.

Rule 16. If two sail vessels are meeting end on, or nearly end on, so as to involve risk of collision, the helms of both shall be put to port, so that each may pass on the port side of the other.

Rule 17. When two sail vessels are crossing so as to involve risk of collision, then, if they have the wind on different sides, the vessel with the wind on the port side shall keep out of the way of the vessel with the wind on the starboard side, except in the case in which the vessel with the wind on the port side is close-hauled, and the other vessel free, in which case the latter vessel shall keep out of the way. But if they have the wind on the same side, or if one of them has the wind aft, the vessel which is to windward shall keep out of the way of the vessel which is to leeward.

Rule 18. If two vessels under steam are meeting end on, or nearly end on, so as to involve risk of collision, the helms of both shall be put to port, so that each may pass on the port side of the other.

Rule 19. If two vessels under steam are crossing so as to involve risk of collision, the vessel which has the other on her own starboard side shall keep out of the way of the other.

Rule 20. If two vessels, one of which is a sail vessel and the other a steam vessel, are proceeding in such directions as to involve risk of collision, the steam vessel shall keep out of the way of the sail vessel.

Rule 21. Every steam vessel, when approaching another vessel, so as to involve risk of a collision, shall slacken her speed, or, if necessary, stop and reverse; and every steam vessel shall, when in a fog, go at a moderate speed.

Rule 22. Every vessel overtaking any other vessel shall keep out of the way of the last-mentioned vessel.

Rule 23. Where, by Rules 17, 19, 20, and 22, one of two vessels shall keep out of the way, the other shall keep her course, subject to the qualifications of Rule 24.

Rule 24. In construing and obeying these rules, due regard must be had to all dangers of navigation, and to any special circumstances which may exist in any particular case rendering a departure from them necessary in order to avoid immediate danger.

Collector's Duty ; Lighted Torch ; Penalty.

Rev. Stat., § 4,234. Collectors, or other chief officers of the customs, shall require all sail vessels to be furnished with proper signal-lights, and every such vessel shall, on the approach of any steam vessel during the night-time, show a lighted torch upon that point or quarter to which such steam vessel shall be approaching. Every such vessel that shall be navigated without complying with the provisions of this and the preceding section shall be liable to a penalty of two hundred dollars, one half to go to the informer; for which sum the vessel so navigated shall be liable, and may be seized and proceeded against by way of

libel, in any district court of the United States having jurisdiction of the offense.

Pilotage.

Rev. Stat., § 4,235. Until further provision is made by Congress, all pilots in the bays, inlets, rivers, harbors, and ports of the United States shall continue to be regulated in conformity with the existing laws of the States respectively wherein such pilots may be, or with such laws as the States may respectively enact for the purpose.

Rev. Stat., § 4,236. The master of any vessel coming into or going out of any port situate upon waters which are the boundary between two States, may employ any pilot, duly licensed or authorized by the laws of either of the States bounded on such waters, to pilot the vessel to or from such port.

Rev. Stat., § 4,237. No regulations or provisions shall be adopted by any State which shall make any discrimination in the rate of pilotage or half pilotage between vessels sailing between the ports of one State and vessels sailing between the ports of different States, or any discrimination against vessels propelled in whole or in part by steam, or against national vessels of the United States; and all existing regulations or provisions making any such discrimination are annulled and abrogated.

Vessels Stranded on Foreign Coasts.

Rev. Stat., § 4,238. Consuls and vice-consuls, in cases where vessels of the United States are stranded on the coasts of their consulates respectively, shall, as far as the laws of the country will permit, take proper measures, as well for the purpose of saving the vessels, their cargoes, and appurtenances, as for storing and securing the effects and merchandise saved, and for taking inventories thereof; and the merchandise and effects saved, with the inventories thereof so taken, shall, after deducting therefrom the expenses, be delivered to the owners. No consul or vice-consul shall have authority to take possession of any such merchandise, or other property, when the master, owner, or consignee thereof is present, or capable of taking possession of the same.

Property Wrecked on Coast of Florida.

Rev. Stat., § 4,239. All property, of any description whatsoever, which shall be taken from any wreck, from the sea, or from any of the keys and shoals, within the jurisdiction of the United States, on the coast of Florida, shall be brought to some port of entry within the jurisdiction of the United States.

Rev. Stat., § 4,240. Every vessel which shall be engaged or employed in carrying or transporting any property whatsoever, taken from any wreck, from the sea, or from any of the keys or shoals, within the jurisdiction of the United States, on the coast of Florida, to any foreign port, shall, together with her tackle, apparel, and furniture, be forfeited, and all forfeitures incurred by virtue of this section shall accrue, one moiety to the informer, and the other to the United States.

Rev. Stat., § 4,241. No vessel, or master thereof, shall be regularly employed in the business of wrecking on the coast of Florida without the license of the judge of the district court for the district of Florida; and, before licensing any vessel or master, the judge shall be satisfied that the vessel is seaworthy, and

properly and sufficiently fitted and equipped for the business of saving property shipwrecked and in distress; and that the master thereof is trustworthy, and innocent of any fraud or misconduct in relation to any property shipwrecked or saved on the coast.

Owner's Power to Remove a Master.

Rev. Stat., § 4,250. Any person, or body corporate, having more than one half ownership of any vessel, shall have the same power to remove a master, who is also part owner of such vessel, as such majority owners have to remove a master not an owner. This section shall not apply where there is a valid written agreement subsisting, by virtue of which such master would be entitled to possession, nor in any case where a master has possession as part owner, obtained before the ninth day of April, eighteen hundred and seventy-two.

Canal Boatmen may not Libel for Wages.

Rev. Stat., § 4,251. No canal-boat, without masts or steam-power, which is required to be registered, licensed, or enrolled and licensed, shall be subject to be libeled in any of the United States courts for the wages of any person who may be employed on board thereof, or in navigating the same.

Limitation, etc., as to Passengers.

Rev. Stat., § 4,252. No master of any vessel, owned in whole or in part by a citizen of the United States, or by a citizen of any foreign country, shall take on board such vessel, at any foreign port or place other than foreign contiguous territory of the United States, passengers contrary to the provisions of this section, with intent to bring such passengers to the United States and leave such port or place and bring such passengers, or any number thereof, within the jurisdiction of the United States. The number of such passengers shall not be greater than in the proportion of one to every two tons of such vessel, not including children under the age of one year in the computation, and computing two children over one and under eight years of age as one passenger. The spaces appropriated for the use of such passengers, and which shall not be occupied by stores or other goods, not the personal baggage of such passengers, shall be in the following proportions: On the main and poop decks or platforms, and in the deck-houses, if there be any, one passenger for each sixteen clear superficial feet of deck, if the height or distance between the decks or platforms shall not be less than six feet; and on the lower deck, not being an orlop deck, if any, one passenger for eighteen such clear superficial feet, if the height or distance between the decks or platforms shall not be less than six feet, but so as that no passenger shall be carried on any other deck or platform, nor upon any deck where the height or distance between decks is less than six feet. But on board two-deck ships, where the height between the decks is seven and one half feet or more, fourteen clear superficial feet of deck shall be the proportion required for each passenger. The term "contiguous territory," as used in this section, shall not be held to extend to any port or place connecting with any interoceanic route through Mexico.

Rev. Stat., § 4,253. Whenever the master of any such vessel takes on board of the same, at any foreign port or place other than such contiguous territory,

any greater number of passengers than in the proportion to the space or to the tonnage prescribed in the preceding section, with intent to bring such passengers to the United States, and leave such port or place and bring such passengers within the jurisdiction of the United States, or takes on board his vessel, at any port or place within the jurisdiction of the United States, any greater number of passengers than in the proportion to the space or to the tonnage prescribed by the preceding section, with intent to carry the same to any foreign port or place other than such foreign contiguous territory, he shall be deemed guilty of a misdemeanor, and shall, for each passenger taken on board beyond such limit or space, be fined fifty dollars, and may also be imprisoned for not exceeding six months.

List of Passengers from a Foreign Port.

Rev. Stat., § 4,266. The master of any vessel arriving in the United States, or any of the territories thereof, from any foreign place whatever, at the same time that he delivers a manifest of the cargo, and if there be no cargo, then at the time of making report or entry of the vessel, pursuant to law, shall also deliver and report to the collector of the district in which such vessel shall arrive a list of all the passengers taken on board of the vessel at any foreign port or place; in which list he shall designate particularly the age, sex, and occupation of the passengers, respectively, the part of the vessel occupied by each during the voyage, the country to which they severally belong, and that of which it is their intention to become inhabitants; and shall further set forth whether any, and what number, have died on the voyage; such list shall be sworn to by the master, in the same manner as directed by law in relation to the manifest of the cargo; and the refusal or neglect of the master to comply with the provisions of this section, or any part thereof, shall incur the same penalties, disabilities, and forfeitures as are provided for a refusal or neglect to report and deliver a manifest of the cargo.

Deaths of Passengers other than Cabin.

Rev. Stat., § 4,268. In case there shall have occurred on board any vessel arriving at any port or place within the United States, or its territories, any death among the passengers, other than cabin passengers, the master, or owner, or consignee of such vessel, shall, within twenty-four hours after the time within which the report and list of passengers is required to be delivered to the collector of the customs, pay to the collector the sum of ten dollars for each and every passenger above the age of eight years who shall have died on the voyage by natural disease. . . .

Rev. Stat., § 4,269. Every master, owner, or consignee of any vessel, who refuses or neglects to pay to the collector any sum of money required, within the time prescribed by the preceding section, shall be liable to a penalty of fifty dollars, in addition to such sum of ten dollars, for each passenger upon whose death the same has become payable, to be recovered by the United States in any circuit or district court of the United States where such vessel may arrive, or such master, owner, or consignee may reside. . . .

Transportation of Nitro-Glycerine.

Rev. Stat., § 4,278. It shall not be lawful to transport, carry, or convey, ship, deliver on board, or cause to be delivered on board, the substance or article known or designated as nitro-glycerine, or glynoin oil, nitroleum, or blasting oil,

or nitrated oil, or powder mixed with any such oil, or fiber saturated with any such article or substance, upon or in any vessel or vehicle used or employed in transporting passengers by land or water between a place in any foreign country and a place within the limits of any State, territory, or district of the United States, or between a place in one State, Territory, or district of the United States, and a place in any other State, Territory, or district thereof. (See §§ 5,353-5,355.)

Rev. Stat., § 4,279. It shall not be lawful to ship, send, or forward any quantity of the substances or articles named in the preceding section, or to transport, convey, or carry the same by a vessel or vehicle of any description, upon land or water, between a place in a foreign country and a place within the United States, or between a place in one State, Territory, or district of the United States, and a place in any other State, Territory, or district thereof, unless the same shall be securely inclosed, deposited, or packed in a metallic vessel, surrounded by plaster of Paris, or other material that will be non-explosive when saturated with such oil or substance, and separate from all other substances, and the outside of the package containing the same be marked, printed, or labeled, in a conspicuous manner, with the words "Nitro-glycerine, dangerous." (See § 5,355.)

Rev. Stat., § 4,288. Any person shipping oil of vitriol, unslaked lime, inflammable matches, or gunpowder, in a vessel taking cargo for divers persons on freight, without delivery, at the time of shipment, a note in writing, expressing the nature and character of such merchandise, to the master, mate, officer, or person in charge of the lading of the vessel, shall be liable to the United States in a penalty of one thousand dollars. But this section shall not apply to any vessel of any description whatsoever used in rivers or inland navigation.

Log-Books.

Rev. Stat., § 4,290. Every vessel making voyages from a port in the United States to any foreign port, or, being of the burden of seventy-five tons or upward, from a port on the Atlantic to a port on the Pacific, or *vice versa*, shall have an official log-book; and every master of such vessel shall make, or cause to be made therein, entries of the following matters, that is to say:

1. Every legal conviction of any member of his crew, and the punishment inflicted.

2. Every offense committed by any member of his crew for which it is intended to prosecute, or to enforce a forfeiture, together with such statement concerning the reading over such entry, and concerning the reply, if any, made to the charge, as is required by the provisions of section forty-five hundred and ninety-seven.

3. Every offense for which punishment is inflicted on board, and the punishment inflicted.

4. A statement of the conduct, character, and qualifications of each of his crew; or a statement that he declines to give an opinion of such particulars.

5. Every case of illness or injury happening to any member of the crew, with the nature thereof, and the medical treatment.

6. Every case of death happening on board, with the cause thereof.

7. Every birth happening on board, with the sex of the infant, and the names of the parents.

8. Every marriage taking place on board, with the names and ages of the parties.

9. The name of every seaman or apprentice who ceases to be a member of the crew otherwise than by death, with the place, time, manner, and cause thereof.

10. The wages due to any seaman or apprentice who dies during the voyage, and the gross amount of all deductions to be made therefrom.

11. The sale of the effects of any seaman or apprentice who dies during the voyage, including a statement of each article sold, and the sum received for it. (See § 4,539.)

Rev. Stat., § 4,291. Every entry hereby required to be made in the official log-book shall be signed by the master and by the mate, or some other one of the crew, and every entry in the official log-book shall be made as soon as possible after the occurrence to which it relates; and if not made on the same day as the occurrence to which it relates, shall be made and dated so as to show the date of the occurrence, and of the entry respecting it; and in no case shall any entry therein in respect of any occurrence happening previously to the arrival of the vessel at her final port be made more than twenty-four hours after such arrival. (See § 4,597.)

Rev. Stat., § 4,292. If in any case the official log-book is not kept in the manner hereby required, or if any entry hereby directed to be made in any such log-book is not made at the time and in the manner hereby directed, the master shall, for each such offense, be liable to a penalty of not more than twenty-five dollars; and every person who makes, or procures to be made, or assists in making, any entry in any official log-book in respect of any occurrence happening previously to the arrival of the vessel at her final port of discharge more than twenty-four hours after such arrival, shall, for each offense, be liable to a penalty of not more than one hundred and fifty dollars.

Passports for Vessels.

Rev. Stat., § 4,306. Every vessel of the United States, going to any foreign country, shall, before she departs from the United States, at the request of the master, be furnished, by the collector for the district where such vessel may be, with a passport, the form of which shall be prescribed by the Secretary of State. In order to be entitled to such passport, the master of every such vessel shall be bound, with sufficient sureties, to the Treasurer of the United States, in the penalty of two thousand dollars, conditioned that the passport shall not be applied to the use or protection of any other vessel than the one described in it; and that, in case of the loss or sale of any vessel having such passport, the same shall, within three months, be delivered up to the collector from whom it was received, if the loss or sale take place within the United States; or within six months if the same shall happen at any place nearer than the Cape of Good Hope; and within eighteen months if at a more distant place.

Rev. Stat., § 4,307. If any vessel of the United States shall depart therefrom, and shall be bound to any foreign country other than to some port in America, without such passport, the master of such vessel shall be liable to a penalty of two hundred dollars for every such offense.

Rev. Stat., § 4,308. Every unregistered vessel owned by a citizen of the United States, and sailing with a sea letter, going to any foreign country, shall, before

she departs from the United States, at the request of the master, be furnished by the collector of the district where such vessel may be with a passport, for which the master shall be subject to the rules and conditions prescribed for vessels of the United States. [The three sections last cited are obsolete. It seems that passports were dispensed with by President's proclamation April 10, 1815.]

Deposit of Papers with Consul Abroad.

Rev. Stat., § 4,309. Every master of a vessel, belonging to citizens of the United States, who shall sail from any port of the United States, shall, on his arrival at a foreign port, deposit his register, sea letter, and Mediterranean passport with the consul, vice-consul, commercial agent, or vice-commercial agent, if any there be at such port; and it shall be the duty of such consul, vice-consul, commercial agent, or vice-commercial agent, on such master or commander producing to him a clearance from the proper officer of the port where his vessel may be, to deliver to the master all of his papers, if such master or commander has complied with the provisions of law relating to the discharge of seamen in a foreign country, and to the payment of the fees of consular officers.

Rev. Stat., § 4,310. Every master of any such vessel who refuses or neglects to deposit the papers as required by the preceding section, shall be liable to a penalty of five hundred dollars, to be recovered by such consul, vice-consul, commercial agent, or vice-commercial agent, in his own name, for the benefit of the United States, in any court of competent jurisdiction.

Vessels under License and Enrollment.

Rev. Stat., § 4,311. Vessels of twenty tons and upward enrolled in pursuance of this Title, and having a license in force, or vessels of less than twenty tons, which, although not enrolled, have a license in force as required by this Title, and no others, shall be deemed vessels of the United States entitled to the privileges of vessels employed in the coasting trade or fisheries. (See §§ 4,220, 4,318, 4,214.)

Rev. Stat., § 4,312. In order for the enrollment of any vessel, she shall possess the same qualifications, and the same requirements in all respects shall be complied with, as are required before registering a vessel; and the same powers and duties are conferred and imposed upon all officers, respectively, and the same proceedings shall be had, in enrollment of vessels, as are prescribed for similar cases in registering; and vessels enrolled, with the masters or owners thereof, shall be subject to the same requirements as are prescribed for registered vessels. (§§ 4,131-4,196.)

Rev. Stat., § 4,318. Any vessel of the United States, navigating the waters on the northern, northeastern, and northwestern frontiers, otherwise than by sea, shall be enrolled and licensed in such form as other vessels; such enrollment and license shall authorize any such vessel to be employed either in the coasting [domestic] or foreign trade on such frontiers, and no certificate of registry shall be required for vessels so employed. Such vessel shall be, in every other respect, liable to the regulations and penalties relating to registered and licensed vessels.

Rev. Stat., § 4,321. The form of a license for carrying on the coasting trade or fisheries shall be as follows:

License for carrying on the (here insert "coasting trade," "whale fishery," "mackerel fishery," or "cod fishery," as the case may be).

In pursuance of Title L., Regulation of Vessels in domestic commerce, of the Revised Statutes of the United States, . . . license is hereby granted for the said (inserting here the description of the vessel), called the (inserting here the vessel's name), to be employed in carrying on the (inserting here "coasting trade," "whale fishery," "mackerel fishery," or "cod fishery," as the case may be), for one year from the date hereof, and no longer. . . .

Rev. Stat., § 4,322. The collectors of the several districts may enroll and license any vessel that may be registered, upon such registry being given up, or may register any vessel that may be enrolled, upon such enrollment and license being given up.

Rev. Stat., § 4,324. No license, granted to any vessel, shall be considered in force any longer than such vessel is owned, and of the description set forth in such license, or for carrying on any other business or employment than that for which she is specially licensed.

Rev. Stat., § 4,325. The license granted to any vessel shall be given up to the collector of the district who may have granted the same within three days after the expiration of the time for which it was granted, in case such vessel be then within the district; or if she be absent at that time, within three days from her first arrival within the district afterward; or if she be sold out of the district, within three days after the arrival of the master within any district, to the collector of such district, taking his certificate therefor; and if the master thereof shall neglect or refuse to deliver up the license, he shall be liable to a penalty of fifty dollars.

Rev. Stat., § 4,327. The owner of any licensed vessel may return such license to the collector who granted the same at any time within the year for which it was granted; and thereupon the collector shall cancel the same, and shall license such vessel anew, upon the application of the owner, and upon the conditions hereinbefore required being complied with.

Rev. Stat., § 4,333. . . . Whenever any vessel is licensed or enrolled anew, or being licensed or enrolled is afterward registered, or being registered is afterward enrolled or licensed, she shall, in every such case, be enrolled, licensed, or registered by her former name.

Rev. Stat., § 4,334. Every licensed vessel shall have her name, and the port to which she belongs, painted on her stern, in the manner prescribed for registered vessels; and if any licensed vessel be found without such painting, the owner thereof shall be liable to a penalty of twenty dollars. (See § 4,178, Chap. cccclxvii, of 1874.)

Rev. Stat., § 4,336. Any officer concerned in the collection of the revenue may at all times inspect the enrollment or license of any vessel; and if the master of any such vessel shall not exhibit the same, when required by such officer, he shall be liable to a penalty of one hundred dollars.

Rev. Stat., § 4,337. If any vessel, enrolled or licensed, shall proceed on a foreign voyage, without first giving up her enrollment and license to the collector of the district comprehending the port from which she is about to proceed on such voyage, and being duly registered by such collector, every such vessel, together with her tackle, apparel, and furniture, and the merchandise so imported therein, shall be liable to seizure and forfeiture.

Rev. Stat., § 4,339. All vessels which may clear with registers for the purpose of engaging in the whale fishery shall be deemed to have lawful and sufficient papers for such voyages, securing the privileges and rights of registered vessels, and the privileges and exemptions of vessels enrolled and licensed for the fisheries.

Rev. Stat., § 4,340. The assistant collector at Jersey City may enroll and license all vessels engaged in the coasting trade and fisheries, owned in whole or in part by residents of the counties of Hudson and Bergen, in the State of New Jersey. (See §§ 2,535, 2,536.)

Rev. Stat., § 4,341. The assistant collector for the port of Camden, in New Jersey, may enroll and license all vessels engaged in the coasting trade and fisheries, owned in whole or in part by residents of that portion of the Bridgeton district lying north of Alloway's Creek, in the county of Salem, in the State of New Jersey.

Rev. Stat., § 4,342. The owners of vessels residing on New River, in Onslow County, in the State of North Carolina, shall have the privilege of taking out registers or enrollments and licenses at Wilmington, in that State, and the collector of that district may grant the same on the conditions required by law.

Rev. Stat., § 4,343. The deputy collector who may be appointed to reside at Chesapeake City, in Maryland, shall have power to grant enrollments and licenses to vessels.

Rev. Stat., § 4,344. The Secretary of the Treasury may authorize the surveyor of any port of delivery, under such regulations as he shall deem necessary, to enroll and license vessels to be employed in the coasting trade and fisheries, in like manner as collectors of ports of entry are authorized to do.

Rev. Stat., § 4,345. The surveyors appointed for the ports of Cold Spring, on the north side of Long Island, Greenport, and Port Jefferson, all in the State of New York, shall have power to enroll and license vessels to be employed in the coasting trade and fisheries, and to enter and clear, and grant registers and other usual papers to vessels employed in the whale fisheries, under such restrictions and regulations as the Secretary of the Treasury may deem necessary. (See §§ 2,535, 2,536.)

Rev. Stat., § 4,347. No merchandise shall be transported under penalty of forfeiture thereof, from one port of the United States to another port of the United States, in a vessel belonging wholly or in part to a subject of any foreign power; but this section shall not be construed to prohibit the sailing of any foreign vessel from one to another port of the United States, provided no merchandise, other than that imported in such vessel from some foreign port, and which shall not have been unladen, shall be carried from one port or place to another in the United States. [There would be a tonnage duty upon the vessel of fifty cents per ton, under section 4,219: and "light money" of fifty cents per ton under section 4,225.] *Provided*, however, That from the date of the President's proclamation declaring that he has evidence that the Imperial Parliament of Great Britain, the Parliament of Canada, and the Legislature of Prince Edward's Island have passed laws on their part to give effect to the provisions of the treaty of Washington of May eighth, eighteen hundred and seventy-one, as contained in articles eighteen to twenty-five, inclusive, and article thirty of said treaty; and so long as said articles remain in force, according to the terms and conditions of article thirty-third of said treaty, all subjects of

Her Britannic Majesty may carry in British vessels, without payment of duty, goods, wares, or merchandise from one port or place within the territory of the United States upon the St. Lawrence, the great lakes, and the rivers connecting the same, to another port or place within the territory of the United States as aforesaid: And *provided*, further, That a portion of such transportation is made through the Dominion of Canada by land-carriage and in bond, under such rules and regulations as may be agreed upon between the government of Her Britannic Majesty and the Government of the United States: And *provided*, further, That the President of the United States may, by proclamation, suspend the right of carrying provided for by this section, in case the Dominion of Canada should at any time deprive the citizens of the United States of the use of the canals in the said Dominion on terms of equality with the inhabitants of the Dominion, as provided in article twenty-seventh of said treaty: And *provided*, further, that in case any export or other duty continues to be levied after the sixteenth day of June, eighteen hundred and seventy-two, on lumber or timber of any kind cut on that portion of the American territory, in the State of Maine, watered by the river St. John and its tributaries, and floated down that river to the sea, when the same is shipped to the United States from the province of New Brunswick, that then, and in that case, the President of the United States may, by proclamation, suspend all rights of carrying provided for by this section for such period as such export or other duty may be levied.

Great Coasting Districts.

Rev. Stat., § 4,348. The sea-coast and navigable rivers of the United States shall be divided into three great districts: the first to include all the collection districts on the sea-coast and navigable rivers between the eastern limits of the United States and the southern limits of Georgia; the second to include all the collection districts on the sea-coast and navigable rivers between the river Perdido and the Rio Grande; and the third to include all the collection districts on the sea-coast and navigable rivers between the southern limits of Georgia and the river Perdido.

Clearance to a Neighboring District.

Rev. Stat., § 4,349. The master of every vessel under twenty tons burden licensed for carrying on the coasting trade, destined from a district in one State to a district in the same or an adjoining State, on the sea-coast or on a navigable river, and of every vessel of the burden of twenty tons and upward, destined from a district within one of the great districts to another district within the same great district, or from a State in one great district to an adjoining State in another great district, having on board either distilled spirits in casks exceeding five hundred gallons, wines in casks exceeding two hundred and fifty gallons, or in bottles exceeding one hundred dozens, sugar in casks or boxes exceeding three thousand pounds, or foreign merchandise in packages, as imported, exceeding in value four hundred dollars, or merchandise, consisting of such enumerated or other articles of foreign growth or manufacture, or of both, whose aggregate value exceeds eight hundred dollars, shall, previous to the departure of such vessel from the port where she may then be, make out and subscribe duplicate manifests of the whole of such cargo on board such vessel, specifying in such manifests the marks and numbers of every cask, bag, box, chest, or package

containing the same, with the name and place of residence of every shipper and consignee, and the quantity shipped by and to each. If there be a collector or surveyor residing at such port, or within five miles thereof, he shall deliver such manifest to the collector, if there be one; otherwise to the surveyor, before whom he shall swear, to the best of his knowledge and belief, that the goods therein contained were legally imported, and the duties thereupon paid or secured, or if spirits distilled within the United States, that the duties thereupon have been paid or secured. Thereupon the collector or surveyor shall certify the same on the manifests, one of which he shall return to the master, with a permit specifying thereon, generally, the lading on board such vessel, and authorizing him to proceed to the port of his destination. (See § 3,977.)

Exception: Mississippi River.

Chap. clxxxv, July 12, 1876. That the provisions of sections forty-three hundred and forty-nine, forty-three hundred and fifty, forty-three hundred and fifty-one, forty-three hundred and fifty-two, forty-three hundred and fifty-three, forty-three hundred and fifty-four, forty-three hundred and fifty-five, and forty-three hundred and fifty-six, of the Revised Statutes, requiring the master of every vessel licensed to carry on the coasting trade, laden in part with foreign merchandise or distilled spirits, to procure a permit from the customs officer of the port at which his vessel was laden, authorizing him to proceed to his port of destination, and also to procure a permit from the port of destination for the unloading of his cargo, shall not be held to include vessels engaged in the navigation of the Mississippi River or tributaries above the port of New Orleans.

Penalty.

Rev. Stat., § 4,350. If any vessel, being laden and destined, as mentioned in the preceding section, shall depart from the port where she may then be, without the master having first made out and subscribed duplicate manifests of the lading on board such vessel, and in case there be a collector or surveyor residing at such port, or within five miles thereof, without having previously delivered the same to the collector or surveyor, and obtaining a permit, such master shall be liable to a penalty of one hundred dollars.

Entrance in Pursuance of such Clearance.

Rev. Stat., § 4,351. The master of every vessel licensed for carrying on the coasting trade, having on board either distilled spirits in casks exceeding five hundred gallons, wine in casks exceeding two hundred and fifty gallons, or in bottles exceeding one hundred dozens, sugar in casks or boxes exceeding three thousand pounds, or foreign merchandise in packages, as imported, exceeding in value four hundred dollars, or goods, wares, or merchandise, consisting of such enumerated or other articles of foreign growth or manufacture, or of both, whose aggregate value exceeds eight hundred dollars, and arriving from a district in one State, at a district in the same or an adjoining State on the sea-coast, or on a navigable river, or, if of the burden of twenty tons or upward, arriving at a district within one of the great districts from another district within the same great district, or from a State adjoining such great district, shall, previous to the unloading of any part of the cargo of such vessel, deliver to

the collector, if there be one, or if not, to the surveyor residing at the port of her arrival, or if there be no collector or surveyor residing at such port, then to a collector or surveyor, if there be any such officer residing within five miles thereof, the manifest of the cargo, certified by the collector or surveyor of the district from whence she sailed, if there be such manifest; otherwise the duplicate manifests thereof, as is hereinbefore directed, to the truth of which, before such officer, he shall swear. If there have been taken on board such vessel any other or more goods than are contained in such manifest or manifests, since her departure from the port from whence she first sailed, or if any goods have been since landed, the master shall make known and particularize the same to the collector or surveyor, or if no such goods have been so taken on board or landed, he shall so declare, to the truth of which he shall swear. Thereupon the collector or surveyor shall grant a permit for unloading a part or the whole of such cargo, as the master or commander may request. If there is no collector or surveyor residing at or within five miles of the port of her arrival, the master of such vessel may proceed to discharge the lading from on board such vessel, but shall deliver to the collector or surveyor residing at the first port where he may next afterward arrive, and within twenty-four hours of his arrival, the manifest or manifests, noting thereon the times when and places where the goods therein mentioned have been unladen, to the truth of which, before the last-mentioned collector or surveyor, he shall swear.

Penalty.

Rev. Stat., § 4,352. If the master of any such vessel, being laden and destined as mentioned in the preceding section, shall neglect or refuse to deliver manifests, at the times and in the manner directed, he shall be liable to a penalty of one hundred dollars.

Clearance for Remote District.

Rev. Stat., § 4,353. The master of every vessel under twenty tons of burden licensed for carrying on the coasting trade, and destined from any district of the United States to a district other than a district in the same or an adjoining State, on the sea-coast, or on a navigable river, and of every vessel of the burden of twenty tons and upward, destined to a district other than a district within the same great district, or within a State adjoining such great district, shall, previous to her departure, deliver to the collector residing at the port where such vessel may be, if there is one, otherwise to the collector of the district comprehending such port, or to a surveyor within the district, as the one or the other may reside nearest to the port at which such vessel may be, duplicate manifests of the whole cargo on board such vessel; or if there is no cargo on board, he shall so certify; and if there are any distilled spirits, or merchandise of foreign growth or manufacture on board, other than what may by the collector be deemed sufficient for sea stores, he shall specify in such manifests the marks and numbers of every cask, bag, box, chest, or package containing the same, with the name and place of residence of every shipper and consignee of such distilled spirits, or merchandise of foreign growth or manufacture, and the quantity shipped by and to each. The manifests or certificates shall be subscribed and sworn to by him; and he shall also swear, before the collector or surveyor, that such merchandise of foreign growth or manufacture was, to the best of

his knowledge and belief, legally imported, and the duties thereupon paid or secured; or, if spirits distilled within the United States, that the duties thereupon have been duly paid or secured. Upon the performance of these provisions, and not before, the collector or surveyor shall certify the same on the manifests or certificates, one of which he shall return to the master, with a permit thereto annexed, authorizing him to proceed to the port of his destination.

Penalty.

Rev. Stat., § 4,354. If any such vessel, destined as mentioned in the preceding section, shall depart from the port where she may then be, having distilled spirits, or goods, wares, or merchandise of foreign growth or manufacture on board, without complying with the requirements of the preceding section, the master thereof shall be liable to a penalty of one hundred dollars; or, if the lading be of goods the growth or manufacture of the United States only, or if such vessel have no cargo, and she depart without the several things required in the preceding section being complied with, the master shall be liable to a penalty of fifty dollars.

Entrance in Remote District.

Rev. Stat., § 4,355. The master of every vessel under twenty tons burden, licensed to carry on the coasting trade, arriving at any district of the United States from any district other than a district in the same or an adjoining State, on the sea-coast, or on a navigable river, and of every vessel of the burden of twenty tons and upward arriving from a district other than a district within the same great district, or from a State adjoining such great district, shall deliver to the collector residing at the port where she may arrive, if there be one, otherwise to the collector or surveyor in the district comprehending such port, as the one or the other may reside nearest thereto, if the collector or surveyor reside at a distance not exceeding five miles, within twenty-four hours, or, if at a greater distance, within forty-eight hours next after his arrival, and previous to the unlading any of the goods brought in such vessel, the manifest of the cargo, if there be any, certified by the collector or surveyor of the district from whence she last sailed; and shall make oath, before the collector or surveyor, that there was not when he sailed from the district where his manifest was certified, and has not been since, and is not then, any more or other merchandise of foreign growth or manufacture, or distilled spirits, if there be any, other than sea stores, on board such vessel, than is therein mentioned; and if there be none such, he shall so swear; and if there be no cargo on board, he shall produce the certificate of the collector or surveyor of the district from whence she last sailed that such is the case. Thereupon such collector or surveyor shall grant a permit for unlading the whole or part of such cargo, if there be any, within his district, as the master may request; and where a part only of the merchandise of foreign growth or manufacture, or of distilled spirits, brought in such vessel, is intended to be landed, the collector or surveyor shall make an indorsement of such part on the back of the manifest, specifying the articles to be landed; and shall return such manifest to the master, indorsing also thereon his permission for such vessel to proceed to the place of her destination.

Penalty.

Rev. Stat. § 4,356. If the master of such vessel, laden and destined as mentioned in the preceding section, shall neglect or refuse to deliver the manifest, or, if she has no cargo, the certificate, within the time directed in the preceding section, he shall be liable to a penalty of one hundred dollars, and the merchandise of foreign growth or manufacture, or distilled spirits, found on board, or landed from such ship or vessel, not being certified as required, shall be forfeited; and if the same shall amount to the value of eight hundred dollars, such ship or vessel, with her tackle, apparel, and furniture, shall be also forfeited.

Long Island and Rhode Island.

Rev. Stat., § 4,357. Coasting vessels, going from Long Island, in the State of New York, to the State of Rhode Island, or from the State of Rhode Island to Long Island, shall have the same privileges as are allowed to vessels under the like circumstances going from a district in one State to a district in the same or an adjoining State.

Alaska as a Great Coasting District.

Rev. Stat., § 4,358. The coasting trade between the territory ceded to the United States by the Emperor of Russia, and any other portion of the United States, shall be regulated in accordance with the provisions of law applicable to such trade between any two great districts. (See §§ 1,954-1,958.)

Exemption from Clearance and Entrance.

Rev. Stat., § 4,359. Nothing in this Title shall be so construed as to oblige the master of any vessel of less than twenty tons burden, licensed for carrying on the coasting trade, bound from a district in one State to a district in the same or an adjoining State on the sea-coast, or on a navigable river, or of any vessel of the burden of twenty tons or upward, bound from a district within one of the great districts to a district within the same great district, or *within a State adjoining such great district*,* having on board merchandise of the growth, product, or manufacture of the United States only, except distilled spirits, or distilled spirits not more than five hundred gallons, wine in casks not more than two hundred and fifty gallons, or in bottles not more than one hundred dozens, sugar in casks or boxes not more than three thousand pounds, or foreign merchandise in packages, as imported, of not more value than four hundred dollars, or merchandise consisting of such enumerated or other articles of foreign growth or manufacture, or of both, whose aggregate value shall be not more than eight hundred dollars, to deliver a manifest thereof, or obtain a permit, previous to her departure, or, on her arrival within such district, to make any report thereof; but such master shall be provided with a manifest, by him subscribed, of the lading, of what kind soever, which was on board such vessel at the time of his departure from the district from which she last sailed, and if the same, or any part of such lading, consists of distilled spirits, or merchandise of foreign growth or manufacture, with the marks and numbers of each cask, bag, box, chest, or package containing the same, with the name of the shipper and consignee of each. Such manifest shall be by him exhibited, for the inspection of any officer of the revenue, when required by such officer; and he shall also inform such officer from whence such vessel last sailed, and how long she has been

in port, when by him so interrogated. [* The part italicized is based upon Chap. xlviii, March 2, 1819, § 2, and should read: From a State in one, to an adjoining State in another great district.]

Penalty.

Rev. Stat., § 4,360. Whenever the master of such vessel, laden and destined as described in the preceding section, is not provided, on his arrival within any such district, with a manifest, and does not exhibit the same, as required in the preceding section, if the lading of such vessel consists wholly of merchandise the produce or manufacture of the United States, distilled spirits excepted, he shall be liable to a penalty of twenty dollars; or if there be distilled spirits, or merchandise of foreign growth or manufacture, on board, excepting what may be sufficient for sea stores, he shall be liable to a penalty of forty dollars; or if he shall refuse to answer the interrogatories truly, as is herein required, he shall be liable to a penalty of one hundred dollars. If any of the merchandise laden on board such vessel be of foreign growth or manufacture, or of spirits distilled within the United States, so much of the same as may be found on board such vessel, and not included in the manifest exhibited by such master, shall be forfeited.

Registered Vessels on Domestic Voyages.

Rev. Stat., § 4,361. Whenever any vessel of the United States, registered according to law, is employed in going from any one district in the United States to any other district, such vessel, and the master thereof, with the goods she may have on board previous to her departure from the district where she may be, and also upon her arrival in any other district, shall be subject, except as to the payment of fees, to the same regulations, provisions, penalties, and forfeitures, and the like duties are imposed on like officers, as are provided for vessels licensed for carrying on the coasting trade. Nothing herein contained shall be construed to extend to registered vessels of the United States having on board merchandise of foreign growth or manufacture, brought into the United States, in such vessel, from a foreign port, and on which the duties have not been paid according to law.

Licensed Fishing Vessel; Permit to Touch and Trade.

Rev. Stat., § 4,364. Whenever any vessel, licensed for carrying on the [a] fishery, is intended to touch and trade at any foreign port, it shall be the duty of the master or owner to obtain permission for that purpose from the collector of the district where such vessel may be, previous to her departure, and the master of every such vessel shall deliver like manifests, and make like entries, both of the vessel and of the merchandise on board, within the same time, and under the same penalty, as are by law provided for vessels of the United States arriving from a foreign port.

Rev. Stat., § 4,365. Whenever a vessel, licensed for carrying on the fisheries, is found within three leagues of the coast, with merchandise of foreign growth or manufacture exceeding the value of five hundred dollars, without having such permission as is directed by the preceding section, such vessel, together with the merchandise of foreign growth or manufacture imported therein, shall be subject to seizure and forfeiture.

In a Port to which the Vessel was not Bound.

Rev. Stat., § 4,366. The master of every vessel, employed in the transportation of merchandise from district to district, that shall put into a port other than the one to which she was bound, shall, within twenty-four hours of his arrival, if there be an officer residing at such port, and she continue there so long, make report of his arrival to such officer, with the name of the place he came from, and to which he is bound, with an account of his lading; and every master who neglects or refuses so to do shall be liable to a penalty of twenty dollars.

Foreign Vessel on Domestic Voyage.

Rev. Stat., § 4,367. The master of every foreign vessel, bound from a district in the United States to any other district within the same, shall, in all cases, previous to her departure from such district, deliver to the collector of such district duplicate manifests of the lading on board such vessel, if there be any, or, if there be none, he shall declare that such is the case; and to the truth of such manifest or declaration he shall swear, and also obtain a permit from the collector, authorizing him to proceed to the place of his destination. (But see § 4,347, which would forfeit the cargo transported; and § 4,219, which would impose fifty cents per ton upon the vessel; and § 4,225, which would impose a duty of fifty cents per ton as "light money.")

Rev. Stat., § 4,368. The master of every foreign vessel, on his arrival within any district from any other district, shall, in all cases, within forty-eight hours after his arrival, and previous to the unloading of any goods from on board such vessel, deliver to the collector of the district where he may have arrived a manifest of the goods laden on board such vessel, if any there be; or if in ballast only, he shall so declare; he shall swear to the truth of such manifest or declaration, and shall also swear that such manifest contains an account of all the merchandise which was on board such vessel at the time, or has been since her departure from the place from whence she shall be reported last to have sailed; and he shall also deliver to such collector the permit which was given him from the collector of the district from whence he sailed. (See note to § 4,367.)

Rev. Stat., § 4,369. Every master of any foreign vessel who neglects or refuses to comply with any of the requirements of the two preceding sections, shall be liable to a penalty of one hundred dollars. Nothing therein contained shall, however, be construed as affecting the payment of tonnage [duty], or any other requirements to which such vessels are subject by law. (See note to § 4,367.)

Foreign Towing Vessels and Ferry-boats.

Rev. Stat., § 4,370. All steam tug-boats not of the United States, found employed in towing documented vessels of the United States, plying from one port or place in the same to another, shall be liable to a penalty of fifty cents per ton on the measurement of every such vessel so towed by them, respectively, which sum may be recovered by way of libel or suit. This section shall not apply to any case where the towing, in whole or in part, is within or upon foreign waters. Any foreign railroad company or corporation, whose road enters the United States by means of a ferry- or tug-boat, may own such boat, and it shall be subject to no other or different restrictions or regulations in such employment than if owned by a citizen of the United States.

Trading or Fishing without License.

Rev. Stat., § 4,371. Every vessel of twenty tons or upward, other than registered vessels, found trading between district and district, or between different places in the same district, or carrying on the fishery without being enrolled and licensed, or, if less than twenty tons, and not less than five tons, without a license, in the manner provided by this Title, if laden with merchandise the growth or manufacture of the United States only, distilled spirits excepted, or in ballast, shall pay the same fees and tonnage [duty] in every port of the United States at which she may arrive as vessels not belonging to a citizen of the United States; and if she have on board any articles of foreign growth or manufacture, or distilled spirits, other than sea stores, she shall, together with her tackle, apparel, and furniture, and the lading found on board, be forfeited. (See §§ 4,219, 4,225, 4,226, 4,347.)

Rev. Stat., § 4,372. If any vessel be at sea at the expiration of the time for which the license was given, and the master of such vessel shall swear that such was the case, and shall also, within forty-eight hours after his arrival, deliver to the collector of the district in which he shall first arrive the license which shall have expired, the forfeiture prescribed in the preceding section shall not be incurred, nor shall the vessel be liable to pay the fees and tonnage [duty] therein required.

Penalty for Resistance of Customs Officer.

Rev. Stat., § 4,376. Every person who assaults, resists, obstructs, or hinders any officer in the execution of any act or law relating to the enrollment, registry, or licensing of vessels, or of this Title, or of any of the powers or authorities vested in him by any such act or law, shall, for every such offense, for which no other penalty is particularly provided, be liable to a penalty of five hundred dollars.

Misuse of License; Mackerel Fishery.

Rev. Stat., § 4,377. Whenever any licensed vessel is transferred, in whole or in part, to any person who is not at the time of such transfer a citizen of and resident within the United States, or is employed in any other trade than that for which she is licensed, or is found with a forged or altered license, or one granted for any other vessel, such vessel, with her tackle, apparel, and furniture, and the cargo found on board her, shall be forfeited. But vessels which may be licensed for the mackerel fishery shall not incur such forfeiture by engaging in catching cod or fish of any other description whatever. (See §§ 4,133, 4,134, 4,312, 4,321, 4,324.)

Rev. Stat., § 4,378. Any merchandise on board any vessel which belongs, in good faith, to any person other than the master, owner, or mariners of such vessel, and upon which the duties have been paid, or secured according to law, shall be exempted from any forfeiture under this Title.

Fees in the Domestic Trade on the Sea-coast.

Rev. Stat., § 4,381. The following fees shall be levied and collected from the owners and masters of all vessels except those navigating the waters of the northern, northeastern, and northwestern frontiers, otherwise than by sea:

1. For measuring every vessel, in order to the enrollment or licensing and

recording the same, the fees prescribed for like services in order to the registry of vessels. (See § 4,186, *last* sentence.)

2. For every certificate of enrollment, fifty cents.
3. For every indorsement on a certificate of enrollment, twenty cents.
4. For every license, and granting the same, including the bond, if not exceeding twenty tons, twenty-five cents; if above twenty, and not more than one hundred tons, fifty cents; and if more than one hundred tons, one dollar.
5. For every indorsement on a license, twenty cents.
6. For certifying manifests, and granting a permit for a licensed vessel to proceed from district to district, twenty-five cents, if less than fifty tons; and if above fifty tons, fifty cents.
7. For receiving a certified manifest, and granting a permit, on the arrival of such vessel, twenty-five cents, if less than fifty tons; and if above fifty tons, fifty cents.
8. For certifying manifests, and granting a permit for a registered vessel to proceed from district to district, one dollar and fifty cents.
9. For receiving a certified manifest, and granting a permit on the arrival of such registered vessel, one dollar. [In the original statute, the fee was "one hundred and fifty cents." Chap. viii, February 18, 1793, § 34.]
10. For granting a permit for a vessel, not belonging to a citizen or citizens of the United States, to proceed from district to district, and receiving the manifest, two dollars.
11. For receiving a manifest, and granting a permit, to unload, for such last-mentioned vessel, on her arrival in one district from another district, two dollars. (See §§ 4,347, 4,219, and 4,225.)
12. For granting a permit for a vessel carrying on the fishery to trade at a foreign port, twenty-five cents, and for the report and entry of any foreign goods, imported in such vessel, twenty-five cents.

Fees on the Inland Northern Frontiers.

Rev. Stat., § 4,382. The following fees shall be levied and collected from the owners and masters of vessels navigating the waters of the northern, north-eastern, and northwestern frontiers of the United States, otherwise than by sea:

1. For the measurement of any vessel, the fees prescribed in Title xlviii, "Regulation of Commerce and Navigation." (See § 4,186, *last* sentence.)
2. For certificate of enrollment, including bond and oath, one dollar and ten cents.
3. For granting license, including bond and oath, if not over twenty tons, forty-five cents.
4. For granting license, including bond and oath, above twenty and not over one hundred tons, seventy cents.
5. For granting license, including bond and oath, above one hundred tons, one dollar and twenty cents.
6. For certifying manifest, including master's oath, and granting permit for vessel to go from district to district, under fifty tons, twenty-five cents.
7. For certifying manifest, including master's oath, and granting permit for vessel to go from district to district, over fifty tons, fifty cents.
8. For receiving manifest, including master's oath, on arrival of a vessel from

one collection district to another, whether touching at foreign intermediate ports or not, under fifty tons, twenty-five cents.

9. For receiving manifest, including master's oath, on arrival of a vessel from one collection district to another, whether touching at foreign intermediate ports or not, over fifty tons, fifty cents.

10. For certifying a manifest, including master's oath, and granting permit to a vessel under fifty tons, laden with a cargo destined for a port or place in another district at which there is no custom-house, twenty-five cents.

11. For certifying a manifest, including master's oath, and granting permit to a vessel above fifty tons, laden with a cargo destined for a port or place in another district at which there is no custom-house, fifty cents.

12. For the entry of a vessel direct from a foreign port, fifty cents.

13. For the clearance of a vessel direct to a foreign port, fifty cents.

14. Vessels departing to or arriving from a port in one district to or from a port in an adjoining district, and touching at intermediate foreign ports, are exempted from the payment of the entry fees.

15. For a port [post] entry of such vessel, two dollars.

16. For permit to land or deliver goods, twenty cents.

17. For a bond taken officially, not otherwise provided for, fifty cents.

18. For permit to load goods for exportation entitled to drawback, thirty cents.

19. For debenture or other official certificate not otherwise provided for, twenty cents.

20. For recording all bills of sale, mortgages, hypothecations, or conveyances of vessels, fifty cents.

21. For recording all certificates for discharging and canceling any such conveyances, fifty cents.

22. For furnishing a certificate setting forth the names of the owners of any registered or enrolled vessel, the parts or proportions owned by each, and also the material facts of any existing bill of sale, mortgage, hypothecation, or other incumbrance, the date, amount of such incumbrance, and from and to whom made, one dollar.

23. For furnishing copies of such records for each bill of sale, mortgage, or other conveyance, fifty cents.

24. For receiving manifest of each railroad car or other vehicle laden with goods, wares, or merchandise, from a foreign contiguous territory, twenty-five cents.

25. For entry of goods, wares, or merchandise for consumption, warehouse, rewarehouse, transportation or exportation, including oath and permit to land or deliver, fifty cents.

26. For certificate of registry, including bond and oath, two dollars and twenty-five cents.

27. For indorsement of change of masters or registry, one dollar.

What Vessels subject to Enrollment and License Fees.

Rev. Stat., § 4,384. All vessels subject to enrollment and license shall be liable to the payment of the fees established by law for services of customs officers incident thereto. (See Chap. cx, of 1874, and Chap. liv, of 1879, given under § 4,385, below.)

Exemption from Marine Documents.

Rev. Stat., § 4,385. Nothing in this Title shall be construed to extend to any boat or lighter not being masted, or, if masted and [*sic*] not decked, employed in the harbor of any town or city.

Chap. cx, April 18, 1874. An act to amend the act entitled, "An act for enrolling and licensing ships or vessels to be employed in the coasting trade and fisheries, and for regulating the same," passed February eighteen, seventeen hundred and ninety-three. That the act, to which this is a supplement, shall not be so construed as to extend the provisions of the said act to canal-boats or boats employed on the internal waters or canals of any State; and all such boats, excepting only such as are provided with sails or propelling machinery of their own, adapted to lake or coastwise navigation, and excepting such as are employed in trade with the Canadas, shall be exempt from the provisions of the said act, and from the payment of all customs and other fees under any act of Congress.

Chap. liv, June 30, 1879. An act relating to vessels not propelled by sail or internal motive power of their own and for other purposes. That the provisions of Title fifty of the Revised Statutes of the United States shall not be so construed as to require the payment of any fee or charge for the enrolling or licensing of vessels, built in the United States, and owned by citizens thereof, not propelled by sail or by internal motive power of their own, and not in any case carrying passengers, whether navigating the internal waters of a State or the navigable waters of the United States, and not engaged in trade with contiguous foreign territory, nor shall this or any existing law be construed to require the enrolling, registering, or licensing of any flat-boat, barge, or like craft for the carriage of freight, not propelled by sail or by internal motive power of its own, on the rivers or lakes of the United States.

Shipping Articles of Fishing Vessels.

Rev. Stat., § 4,391. The master of any vessel of the burden of twenty tons or upward, qualified according to law, for carrying on the bank and other cod fisheries, or the mackerel fishery, bound from a port of the United States to be employed in any such fishery at sea, shall, before proceeding on such fishing voyage, make an agreement in writing with every fisherman who may be employed therein, except only an apprentice or servant of himself or owner, and, in addition to such terms of shipment as may be agreed on, shall, in such agreement, express whether the same is to continue for one voyage or for the fishing season, and shall also express that the fish, or the proceeds of such fishing voyage, or voyages, which may appertain to the fishermen, shall be divided among them in proportion to the quantities or number of such fish which they may, respectively, have caught. Such agreement shall be indorsed or countersigned by the owner of such fishing vessel or his agent. (See §§ 4,320, 4,321.)

Steam Vessels.

Rev. Stat., § 4,399. Every vessel propelled in whole or in part by steam shall be deemed a steam vessel within the meaning of this Title. [iii.]

Rev. Stat., § 4,400. All steam vessels navigating any waters of the United States which are common highways of commerce, or open to general or com-

petitive navigation, excepting public vessels of the United States, vessels of other countries, and boats propelled in whole or in part by steam for navigating canals, shall be subject to the provisions of this Title.

Rev. Stat., § 4,401. All coastwise sea-going vessels, and vessels navigating the great lakes, shall be subject to the navigation laws of the United States, when navigating within the jurisdiction thereof; and all vessels propelled in whole or in part by steam, and navigating as aforesaid, shall be subject to all the rules and regulations established in pursuance of law for the government of steam vessels in passing, as provided by this Title; and every coastwise sea-going steam vessel subject to the navigation laws of the United States, and to the rules and regulations aforesaid, not sailing under register, shall, when under way, except on the high seas, be under the control and direction of pilots licensed by the inspectors of steamboats.

Steam Vessels Passing each Other.

Rev. Stat., § 4,412. The board of supervising inspectors shall establish such regulations to be observed by all steam vessels in passing each other as they shall from time to time deem necessary for safety; two printed copies of such regulations, signed by them, shall be furnished to each of such vessels, and shall at all times be kept posted up in conspicuous places in such vessels.

Rev. Stat., § 4,413. Every pilot, engineer, mate, or master of any steam vessel who neglects or willfully refuses to observe the regulations established in pursuance of the preceding section, shall be liable to a penalty of fifty dollars, and for all damages sustained by any passenger, in his person or baggage, by such neglect or refusal.

Board of Local Steam Inspectors.

Rev. Stat., § 4,414. There shall be, in each of the following collection districts, one inspector of hulls, and one inspector of boilers; . . .

Inspection of Hulls.

Rev. Stat., § 4,417. The local inspectors shall, once in every year, at least, upon application in writing of the master or owner, carefully inspect the hull of each steam vessel within their respective districts, and shall satisfy themselves that every such vessel so submitted to their inspection is of a structure suitable for the service in which she is to be employed, has suitable accommodations for passengers and the crew, and is in a condition to warrant the belief that she may be used in navigation as a steamer, with safety to life, and that all the requirements of law in regard to fires, boats, pumps, hose, life-preservers, floats, anchors, cables, and other things, are faithfully complied with; and, if they deem it expedient, they may direct the vessel to be put in motion, and may adopt any other suitable means to test her sufficiency and that of her equipment.

Inspection of Boilers.

Rev. Stat., § 4,418. The local inspectors shall also inspect the boilers of all steam vessels before the same shall be used, and once at least in every year thereafter. . . .

Certificate of Approval or Statement of Disapproval.

Rev. Stat., § 4,421. When the inspection of a steam vessel is completed, and the inspectors approve the vessel and her equipment throughout, they shall make and subscribe a certificate to the collector or other chief officer of the customs of the district in which such inspection has been made, in accordance with the form and regulations prescribed by the board of supervising inspectors. Such certificate shall be verified by the oaths of the inspectors signing it before the chief officer of the customs of the district, or any other person competent by law to administer oaths. If the inspectors refuse to grant a certificate of approval, they shall make a statement in writing, and sign the same, giving the reasons for their disapproval.

License to carry Gunpowder.

Rev. Stat., § 4,422. Upon the application of any master or owner of any steam vessel employed in the carriage of passengers for a license to carry gunpowder, the local inspectors shall examine such vessel, and if they find that she is provided with a chest or safe composed of metal, or entirely lined and sheathed therewith, or if the vessel has one or more compartments thoroughly lined and sheathed with metal, at a secure distance from any fire, they may grant a certificate to that effect, authorizing such vessel to carry as freight within such chest, safes, or compartments, the article of gunpowder. (See §§ 4,472, 4,475, 4,476.)

Certified Copies of Certificate.

Rev. Stat., § 4,423. Every collector or other chief officer of the customs shall retain on file all original certificates of the inspectors required to be delivered to him, and shall give to the master or owner of the vessel therein named three certified copies thereof; two of which shall be placed by such master or owner in conspicuous places in the vessel where they will be most likely to be observed by passengers and others, and there kept at all times, framed under glass; and the other shall be retained by such master or owner, as evidence of the authority thereby conferred.

Penalties.

Rev. Stat., § 4,424. Whenever any passenger is received on board any steam vessel not having the certified copies of the certificate of approval placed and kept as required by this Title, or whenever any passenger steam vessel receives or carries any gunpowder on board, not having a certificate authorizing the same, and a certified copy thereof placed and kept as required, or shall carry any gunpowder at a place or in a manner not authorized by such certificate, such steam vessel shall be liable to a penalty of one hundred dollars for each offense. (See § 4,476.)

Ferry-boats, Canal-boats, Yachts.

Rev. Stat., § 4,426. The hull and boilers of every ferry-boat, canal-boat, yacht, or other small craft of like character, propelled by steam, shall be inspected under the provisions of this Title. Such other provisions of law for the better security of life, as may be applicable to such vessels, shall, by the regulations of the board of supervising inspectors, also be required to be complied with before a certificate of inspection shall be granted; and no such vessel shall be navigated without a licensed engineer and a licensed pilot.

Towing-boats and Freight-boats.

Rev. Stat., § 4,427. The hull and boiler of every tug-boat, towing-boat, and freight-boat shall be inspected, under the provisions of this Title; and the inspectors shall see that the boilers, machinery, and appurtenances of such vessel are not dangerous in form or workmanship, and that the safety-valves, gauge-cocks, low-water alarm indicators, steam-gauges, and fusible plugs, are all attached in conformity to law; and the officers navigating such vessels shall be licensed in conformity with the provisions of this Title, and shall be subject to the same provisions of law as officers navigating passenger steamers.

Boilers to be of Stamped Plates.

Rev. Stat., § 4,428. Every boiler manufactured to be used on steam vessels, and made of iron or steel plates, shall be constructed of plates that have been stamped in accordance with the provisions of this Title.

Inspection of Boiler Plates.

Rev. Stat., § 4,430. Every iron or steel plate used in the construction of steamboat boilers, and which shall be subject to a tensile strain, shall be inspected in such manner as shall be prescribed by the board of supervising inspectors, and approved by the Secretary of the Treasury, so as to enable the inspectors to ascertain its tensile strength, homogeneousness, toughness, and ability to withstand the effect of repeated heating and cooling; and no iron or steel plate shall be used in the construction of such boilers which has not been inspected and approved under these rules.

Manufacturer to stamp Boiler Plates.

Rev. Stat., § 4,431. Every plate of boiler-iron or steel, made for use in the construction of steamboat boilers, shall be distinctly and permanently stamped by the manufacturer thereof, and, if practicable, in such places that the marks shall be left visible when such plates are worked into boilers, with the name of the manufacturer, the place where manufactured, and the number of pounds of tensile strain it will bear to the sectional square inch; and the inspectors shall keep a record in their office of the stamps upon all boiler plates and boilers which they inspect.

Officers to be Licensed.

Rev. Stat., § 4,438. The boards of local inspectors shall license and classify the masters, chief mates, engineers, and pilots of all steam vessels. It shall be unlawful to employ any person, or for any person to serve as a master, chief mate, engineer, or pilot, on any steamer who is not licensed by the inspectors; and any one violating this section shall be liable to a penalty of one hundred dollars for each offense.

Master or Mate as Pilot also.

Rev. Stat., § 4,443. Where the master or mate is also pilot of the vessel, he shall not be required to hold two licenses to perform such duties, but the license issued shall state on its face that he is authorized to act in such double capacity.

State Regulation of Pilotage.

Rev. Stat., § 4,444. No State or municipal government shall impose upon pilots of steam vessels any obligation to procure a State or other license in addition to that issued by the United States, or any other regulation which will impede such pilots in the performance of the duties required by this Title; nor shall any pilot charges be levied by any such authority upon any steamer piloted as provided by this Title; and in no case shall the fees charged for the pilotage of any steam vessel exceed the customary or legally established rates in the State where the same is performed. Nothing in this Title shall be construed to annul or affect any regulation established by the laws of any State, requiring vessels entering or leaving a port in any such State, other than coastwise steam vessels, to take a pilot duly licensed or authorized by the laws of such State, or of a State situate upon the waters of such State.

License of Officer to be Posted.

Rev. Stat., § 4,446. Every master, mate, engineer, and pilot who shall receive a license shall, when employed upon any vessel, place his certificate of license, which shall be framed under glass, in some conspicuous place in such vessel, where it can be seen by passengers and others at all times; and for every neglect to comply with this provision by any such master, mate, engineer, or pilot, he shall be subject to a fine of one hundred dollars, or to the revocation of his license.

Fees for Inspection, and for Officers' Licenses.

Rev. Stat., § 4,458. Before issuing any license to any steamer, the collector or other chief officer of the customs for the port or district shall demand and receive from the owners thereof, as a compensation for the inspections and examinations made for the year, the following sums, in addition to the fees for issuing enrollments and licenses now allowed by law, according to the tonnage of the vessel: For each steam vessel of one hundred tons or under, twenty-five dollars; and, in addition thereto, for each and every ton in excess of one hundred tons, five cents. Each master, chief engineer, and first-class pilot, licensed as herein provided, shall pay for every certificate, granted by any inspector or inspectors, the sum of ten dollars; and every chief mate, engineer, and pilot of an inferior grade shall pay, for every certificate so granted, the sum of five dollars. Such fees shall be paid over to the chief officer of the customs in such manner and under such regulations as shall be prescribed by the Secretary of the Treasury.

Regulations by the Secretary.

Rev. Stat., § 4,462. The Secretary of the Treasury shall make such regulations as may be necessary to secure the proper execution of this Title.

Licensed Officers and Full Crew, for Steamer.

Rev. Stat., § 4,463. No steamer carrying passengers shall depart from any port unless she shall have in her service a full complement of licensed officers and full crew, sufficient at all times to manage the vessel, including the proper number of watchmen. But if any such vessel, on her voyage, is deprived of the services of any licensed officer, without the consent, fault, or collusion of the master, owner, or any person interested in the vessel, the deficiency may be temporarily supplied until others licensed can be obtained.

Limitation upon Number of Passengers.

Rev. Stat., § 4,464. The inspectors shall state in every certificate of inspection granted to steamers carrying passengers, other than ferry-boats, the number of passengers of each class that any such steamer has accommodation for, and can carry with prudence and safety.

Penalty for Carrying Excess.

Rev. Stat., § 4,465. It shall not be lawful to take on board of any steamer a greater number of passengers than is stated in the certificate of inspection; and for every violation of this provision the master or owner shall be liable, to any person suing for the same, to forfeit the amount of the passage money, and ten dollars for each passenger beyond the number allowed.

Special Permit for Excursions.

Rev. Stat., § 4,466. If any passenger steamer engages in excursions, the inspectors shall issue to such steamer a special permit, in writing, for the occasion, in which shall be stated the additional number of passengers that may be carried, and the number and kind of life-saving appliances that shall be provided for the safety of such additional passengers; and they shall also, in their discretion, limit the route and distance for such excursions.

Lists of Passengers.

Rev. Stat., § 4,467. The master of every passenger steamer shall keep a correct list of all the passengers received and delivered from day to day, noting the places where received and where landed, which record shall be open to the inspection of the inspectors and officers of the customs at all times; and the aggregate number of passengers shall be furnished to inspectors as often as called for; but on routes not exceeding one hundred miles, the number of passengers, if kept, shall be sufficient.

Dangerous Articles Limited.

Rev. Stat., § 4,472. No loose hay, loose cotton, or loose hemp, camphene, nitro-glycerine, naphtha, benzine, benzole, coal-oil, crude or refined petroleum, or other like explosive burning fluids, or like dangerous articles, shall be carried as freight or used as stores on any steamer carrying passengers; nor shall baled cotton or hemp be carried on such steamers unless the bales are compactly pressed and thoroughly covered with bagging of similar fabric, and secured with good rope or iron bands; nor shall gunpowder be carried on any such vessel, except under special license; nor shall oil of vitriol, nitric or other chemical acids, be carried on such steamers except on the decks or guards thereof, or in such other safe part of the vessel as shall be prescribed by the inspectors.

Refined petroleum, which will not ignite at a temperature less than one hundred and ten degrees of Fahrenheit thermometer, may be carried on board such steamers upon routes where there is no other practicable mode of transporting it, and under such regulations as shall be prescribed by the board of supervising inspectors, with the approval of the Secretary of the Treasury.

And oil or spirits of turpentine may be carried on such steamers when put up in good metallic vessels, or casks or barrels, well and securely bound with iron and stowed in a secure part of the vessel; and friction matches may be car-

ried on such steamers when securely packed in strong, tight chests or boxes, the covers of which shall be well secured by locks, screws, or other reliable fastenings, and stowed in a safe part of the vessel at a secure distance from any fire or heat.

All such other provisions shall be made on every steamer carrying passengers or freight, to guard against and extinguish fire, as shall be prescribed by the board of supervising inspectors and approved by the Secretary of the Treasury. (See §§ 4,278-4,280, 5,353-5,355.)

Mode of Packing Dangerous Articles.

Rev. Stat., § 4,475. All gunpowder, nitro-glycerine, camphene, naphtha, benzine, benzole, coal-oil, crude or refined petroleum, oil of vitriol, nitric or other chemical acids, oil or spirits of turpentine, friction matches, and all other articles of like character, when packed or put up for shipment, shall be securely packed or put up separately from each other and from all other articles, and the package, box, cask, or other vessel, containing the same, shall be distinctly marked on the outside with the name or description of the article contained therein.

Steam Vessel to carry Copy of the Law.

Rev. Stat., § 4,494. Every master or commander of any steam vessel carrying passengers shall keep on board of such vessel at least two copies of the provisions of this Title, to be furnished to him by the Secretary of the Treasury, and, if the master or commander neglects or refuses to do so, or shall unreasonably refuse to exhibit a copy of the same to any passenger who asks for it, he shall be liable to a penalty of twenty dollars.

Name to be on Pilot and Wheel Houses.

Rev. Stat., § 4,495. Every steam vessel of the United States, in addition to having her name painted on her stern, shall have the same conspicuously placed in distinct, plain letters, of not less than six inches in length, on each outer side of the pilot-house, if it has such, and, in case the vessel has side-wheels, also on the outer side of each wheel-house, and, if any such steamboat be found without having her name placed as required, she shall be subject to the same penalty and forfeiture as provided by law in the case of a vessel of the United States found without having her name, and the name of the port to which she belongs, painted on her stern. (See §§ 4,178, 4,334.)

Customs Officers to Enforce Inspection Laws.

Rev. Stat., § 4,496. All collectors, and other chief officers of the customs, and all inspectors within the several districts, shall enforce the provisions of this Title against all steamers arriving and departing.

Under Penalty of Removal.

Rev. Stat., § 4,497. Every collector, or other chief officer of the customs, or inspector, who negligently or intentionally omits any duty under the preceding section, shall be liable to removal from office, and to a penalty of one hundred dollars for each offense, to be sued for in an action of debt.

No Documents until Compliance.

Rev. Stat., § 4,498. No license, register, or enrollment shall be granted, nor any other papers be issued, by any collector or other chief officer of the customs, to any vessel propelled in whole or in part by steam, until he shall have satisfactory evidence that all the provisions of this Title have been fully complied with.

Collector as Shipping Commissioner.

Rev. Stat., § 4,503. In any port in which no shipping commissioner shall have been appointed, the whole or any part of the business of a shipping commissioner shall be conducted by the collector or deputy collector of customs of such port, and, in respect of such business, such custom-house shall be deemed a shipping office, and the collector or deputy collector of customs to whom such business shall be committed shall, for all purposes, be deemed a shipping commissioner within the meaning of this Title. [Liii.]

Shipping Articles.

Rev. Stat., § 4,511. The master of every vessel bound from a port in the United States to any foreign port, other than vessels engaged in trade between the United States and the British North American possessions, or the West India Islands, or the republic of Mexico, or of any vessel of the burden of seventy-five tons or upward bound from a port on the Atlantic to a port on the Pacific, or *vice versa*, shall, before he proceeds on such voyage, make an agreement, in writing or in print, with every seaman whom he carries to sea as one of the crew, in the manner hereinafter mentioned, and every such agreement shall be, as near as may be, in the form given in the table marked A, in the schedule annexed to this Title, and shall be dated at the time of the first signature thereof, and shall be signed by the master before any seaman signs the same, and shall contain the following particulars:

1. The nature and, as far as practicable, the duration of the intended voyage or engagement, and the port or country at which the voyage is to terminate.
2. The number and description of the crew, specifying their respective employments.
3. The time at which each seaman is to be on board to begin work.
4. The capacity in which each seaman is to serve.
5. The amount of wages which each seaman is to receive.
6. A scale of the provisions which are to be furnished to each seaman.
7. Any regulations as to conduct on board, and as to fines, short allowance of provisions, or other lawful punishments for misconduct, which may be sanctioned by Congress as proper to be adopted, and which the parties agree to adopt.
8. Any stipulations in reference to advance and allotment of wages or other matters not contrary to law.

Chap. cclx, June 9, 1874. An act in reference to the operation of the shipping commissioners' act, approved June seventh, eighteen hundred and seventy-two. That none of the provisions of an act entitled, "An act to authorize the appointment of shipping commissioners by the several Circuit Courts of the United States to superintend the shipping and discharge of seamen engaged in merchant ships belonging to the United States, and for the further protection of seamen," shall

apply to sail or steam vessels engaged in the coastwise trade, except the coastwise trade between the Atlantic and Pacific coasts, or in the lake-going trade touching at foreign ports or otherwise, or in the trade between the United States and the British North American possessions, or in any case where the seamen are by custom or agreement entitled to participate in the profits or result of a cruise or voyage.

Shipping Articles to be Authenticated.

Rev. Stat., § 4,512. The following rules shall be observed with respect to agreements:

1. Every agreement, except such as are otherwise specially provided for, shall be signed by each seaman in the presence of a shipping commissioner.

2. When the crew is first engaged, the agreement shall be signed in duplicate, and one part shall be retained by the shipping commissioner, and the other part shall contain a special place or form for the description and signatures of persons engaged subsequently to the first departure of the ship, and shall be delivered to the master.

3. Every agreement entered into before a shipping commissioner shall be acknowledged and certified under the hand and official seal of such commissioner. The certificate of acknowledgment shall be indorsed on or annexed to the agreement, and shall be in the following form: State of, County of: On this . . . day of, personally appeared before me, a shipping commissioner in and for the said county, A. B., C. D., and E. F., severally known to me to be the same persons who executed the foregoing instrument, who each for himself acknowledged to me that he had read or had heard read the same; that he was by me made acquainted with the conditions thereof, and understood the same; and that, while sober and not in a state of intoxication, he signed it freely and voluntarily, for the uses and purposes therein mentioned. (As to certified copy of shipping articles, see § 4,575, second to sixth heads.)

Exception from Section 4,511.

Rev. Stat., § 4,513. The section forty-five hundred and eleven shall not apply to masters of vessels where the seamen are by custom or agreement entitled to participate in the profits or result of a cruise or voyage, nor to masters of coastwise nor to masters of lake-going vessels that touch at foreign ports; but seamen may, by agreement, serve on board such vessels a definite time, or, on the return of any vessel to a port in the United States, may reshup and sail in the same vessel on another voyage, without the payment of additional fees to the shipping commissioner, by either the seamen or the master.

Shipment in Place of Deserters, etc.

Rev. Stat., § 4,516. In case of desertion, or of casualty resulting in the loss of one or more seamen, the master may ship a number equal to the number of whose services he has been deprived by desertion or casualty, and report the same to the United States Consul at the first port at which he shall arrive, without incurring the penalty prescribed by the two preceding sections. (See §§ 4,517, 4,575.)

Shipping Articles to be Produced to Consul.

Rev. Stat., § 4,517. Every master of a merchant vessel who engages any seaman at a place out of the United States, in which there is a consular officer

or commercial agent, shall, before carrying such seaman to sea, procure the sanction of such officer, and shall engage seamen in his presence; and the rules governing the engagement of seamen before a shipping commissioner in the United States shall apply to such engagements made before a consular officer or commercial agent; and upon every such engagement the consular officer or commercial agent shall indorse upon the agreement his sanction thereof, and an attestation to the effect that the same has been signed in his presence, and otherwise duly made. (See § 4,575.)

Posting Copy of Agreement.

Rev. Stat., § 4,519. The master shall, at the commencement of every voyage or engagement, cause a legible copy of the agreement, omitting signatures, to be placed or posted up in such part of the vessel as to be accessible to the crew; and in default shall be liable to a penalty of not more than one hundred dollars.

Shipping Articles in Domestic Trade.

Rev. Stat., § 4,520. Every master of any vessel of the burden of fifty tons or upward, bound from a port in one State to a port in any other than an adjoining State, except vessels of the burden of seventy-five tons or upward, bound from a port on the Atlantic to a port on the Pacific, or *vice versa*, shall, before he proceeds on such voyage, make an agreement, in writing or in print, with every seaman on board such vessel except such as shall be apprentice or servant to himself or owners, declaring the voyage or term of time for which such seaman shall be shipped.

Unlawful Shipments Void.

Rev. Stat., § 4,523. All shipments of seamen made contrary to the provisions of any act of Congress shall be void; and any seaman so shipped may leave the service at any time, and shall be entitled to recover the highest rate of wages of the port from which the seaman was shipped, or the sum agreed to be given him at his shipment.

Moneys and Effects of Deceased Seamen.

Rev. Stat., § 4,538. Whenever any seaman or apprentice belonging to or sent home on any merchant vessel, whether a foreign-going or domestic vessel, employed on a voyage which is to terminate in the United States, dies during such voyage, the master shall take charge of all moneys, clothes, and effects which he leaves on board, and shall, if he thinks fit, cause all or any of such clothes and effects to be sold by auction at the mast or other public auction, and shall thereupon sign an entry in the official log-book, and cause it to be attested by the mate and one of the crew, containing the following particulars:

1. A statement of the amount of money so left by the deceased.
2. In case of a sale, a description of each article sold, and the sum received for each.
3. A statement of the sum due to deceased as wages, and the total amount of deductions, if any, to be made therefrom.

Moneys and Effects, how Disposed of.

Rev. Stat., § 4,539. In cases embraced by the preceding section, the following rules shall be observed:

1. If the vessel proceeds at once to any port in the United States, the master shall, within forty-eight hours after his arrival, deliver any such effects remaining unsold, and pay any money which he has taken charge of or received from such sale, and the balance of wages due to the deceased, to the shipping commissioner at the port of destination in the United States.

2. If the vessel touches and remains at some foreign port before coming to any port in the United States, the master shall report the case to the United States consular officer there, and shall give to such officer any information he requires as to the destination of the vessel and probable length of the voyage; and such officer may, if he considers it expedient so to do, require the effects, money, and wages to be delivered and paid to him, and shall, upon such delivery and payment, give to the master a receipt; and the master shall, within forty-eight hours after his arrival at his port of destination in the United States, produce the same to the shipping commissioner there. Such consular officer shall, in any such case, indorse and certify upon the agreement with the crew the particulars with respect to such delivery and payment.

3. If the consular officer does not require such payment and delivery to be made to him, the master shall take charge of the effects, money, and wages, and shall, within forty-eight hours after his arrival at his port of destination in the United States, deliver and pay the same to the shipping commissioner there.

4. The master shall, in all cases in which any seaman or apprentice dies during the voyage or engagement, give to such officer or shipping commissioner an account, in such form as they may respectively require, of the effects, money, and wages so to be delivered and paid; and no deductions claimed in such account shall be allowed unless verified by an entry in the official log-book, if there be any; and by such other vouchers, if any, as may be reasonably required by the officer or shipping commissioner to whom the account is rendered.

5. Upon due compliance with such of the provisions of this section as relate to acts to be done at the port of destination in the United States, the shipping commissioner shall grant to the master a certificate to that effect. No officer of customs shall clear any foreign-going vessel without the production of such certificate.

Penalty.

Rev. Stat., § 4,540. Whenever any master fails to take such charge of the money or other effects of a seaman or apprentice during a voyage, or to make such entries in respect thereof, or to procure such attestation to such entries, or to make such payment or delivery of any money, wages, or effects of any seaman or apprentice dying during a voyage, or to give such account in respect thereof as is above directed, he shall be accountable for the money, wages, and effects of the seaman or apprentice to the Circuit Court in whose jurisdiction such port of destination is situate, and shall pay and deliver the same accordingly; and he shall, in addition, for every such offense, be liable to a penalty of not more than treble the value of the money or effects, or, if such value is not ascertained, not more than two hundred dollars; and if any such money, wages, or effects are not duly paid, delivered, and accounted for by the master, the owner of the vessel shall pay, deliver, and account for the same, and such money and wages, and the value of such effects, shall be recoverable from him accordingly; and if he fails to account for and pay the same, he shall, in addition to his liability for the money and value, be liable to the same penalty which is in-

curred by the master for a like offense; and all money, wages, and effects of any seaman or apprentice dying during a voyage shall be recoverable in the courts, and by the modes of proceeding by which seamen are enabled to recover wages due to them.

Wages Payable Abroad in Gold.

Rev. Stat., § 4,548. Moneys paid under the laws of the United States, by direction of consular officers or agents, at any foreign port or place, as wages, extra or otherwise, due American seamen, shall be paid in gold, or its equivalent, without any deduction whatever, any contract to the contrary notwithstanding.

List of Ship's Company.

Rev. Stat., § 4,573. Before a clearance is granted to any vessel bound on a foreign voyage, or engaged in the whale fishery, the master thereof shall deliver to the collector of the customs a list containing the names, places of birth and residence, and description of the persons who compose his ship's company; to which list the oath of the captain shall be annexed, that the list contains the names of his crew, together with the places of their birth and residence, as far as he can ascertain them; and the collector shall deliver him a certified copy thereof [§ 4,575], for which the collector shall be entitled to receive the sum of twenty-five cents.

List to be Approved, Certified, and Recorded.

Rev. Stat., § 4,574. In all cases of private vessels of the United States sailing from a port in the United States to a foreign port, the list of the crew shall be examined by the collector for the district from which the vessel shall clear, and, if approved by him, shall be certified accordingly. No person shall be admitted or employed on board of any such vessel unless his name shall have been entered in the list of the crew, approved, and certified by the collector for the district from which the vessel shall clear. The collector, before he delivers the list of the crew, approved and certified, to the master or proper officer of the vessel to which the same belongs, shall cause the same to be recorded in a book by him for that purpose to be provided, and the record shall be open for the inspection of all persons, and a certified copy thereof shall be admitted in evidence in any court in which any question may arise under any of the provisions of this Title.

Crew-Lists and Shipping Articles.

Rev. Stat., § 4,575. The following rules shall be observed with reference to vessels bound on any foreign voyage:

1. The duplicate list of the ship's company, required to be made out by the master and delivered to the collector of the customs, under section forty-five hundred and seventy-three, shall be a fair copy in one uniform handwriting, without erasure or interlineation. [It seems, in view of § 4,573, that the above sentence should read: *The certified copy of the list of the ship's company, required to be made out by the collector and delivered to the master, etc.; for section 4,573 prescribes a certified copy, not a duplicate.*]

2. It shall be the duty of the owners of every such vessel to obtain from the collector of the customs of the district from which the clearance is made a true and certified copy of the shipping articles, containing the names of the crew, which shall be written in a uniform hand, without erasures or interlineations.

3. These documents, which shall be deemed to contain all the conditions of contract with the crew as to their service, pay, voyage, and all other things, shall be produced by the master, and laid before any consul, or other commercial agent of the United States, whenever he may deem their contents necessary to enable him to discharge the duties imposed upon him by law toward any mariner applying to him for his aid or assistance.

4. All interlineations, erasures, or writing in a hand different from that in which such duplicates were originally made, shall be deemed fraudulent alterations, working no change in such papers, unless satisfactorily explained in a manner consistent with innocent purposes and the provisions of law which guard the rights of mariners.

5. If any master of a vessel shall proceed on a foreign voyage without the documents herein required, or refuse to produce them when required, or to perform the duties imposed by this section, or shall violate the provisions thereof, he shall be liable to each and every individual injured thereby in damages, to be recovered in any court of the United States in the district where such delinquent may reside or be found, and, in addition thereto, be punishable by a fine of one hundred dollars for each offense.

6. It shall be the duty of the boarding officer to report all violations of this section to the collector of the port where any vessel may arrive, and the collector shall report the same to the Secretary of the Treasury and the United States attorney in his district.

Bond for Return of Seamen ("Crew Bond").

Rev. Stat., § 4,576. The master of every vessel bound on a foreign voyage, or engaged in the whale fishery, shall enter into bond, with sufficient security, in the sum of four hundred dollars, that he shall exhibit the certified copy of the list of the crew, to the first boarding officer, at the first port in the United States at which he shall arrive on his return, and also produce the persons named therein to the boarding officer; whose duty it shall be to examine the men with such list, and to report the same to the collector; and it shall be the duty of the collector at the port of arrival, where the same is different from the port from which the vessel originally sailed, to transmit a copy of the list so reported to him to the collector of the port from which such vessel originally sailed. But such bond shall not be forfeited on account of the master not producing to the first boarding officer any of the persons contained in the list, who may be discharged in a foreign country with the consent of the consul, vice-consul, commercial agent, or vice-commercial agent there residing, certified in writing, under his hand and official seal, to be produced to the collector with the other persons composing the crew; nor on account of any such person dying or absconding, or being forcibly impressed into other service, of which satisfactory proof shall be then also exhibited to the collector.

Masters must Receive Destitute Seamen.

Rev. Stat., § 4,578. All masters of vessels belonging to citizens of the United States, and bound to some port of the same, are required to take such destitute seamen on board of their vessels, at the request of the consuls, vice-consuls, commercial agents, or vice-commercial agents, respectively, and to transport them to the port in the United States to which such vessel may be bound, on such terms,

not exceeding ten dollars for each person, as may be agreed between the master and the consul or officer. Every such master who refuses the same, on the request or order of such consul or officer, shall be liable to the United States in a penalty of one hundred dollars for each seaman so refused. The certificate of any such consul or officer, given under his hand and official seal, shall be presumptive evidence of such refusal, in any court of law having jurisdiction for the recovery of the penalty. No master of any vessel shall, however, be obliged to take a greater number than two men to every one hundred tons burden of the vessel, on any one voyage.

Extra Wages on Discharge at Request of Seaman.

Rev. Stat., § 4,580. Upon the application of any seaman to a consular officer for a discharge, if it appears to such officer that he is entitled to his discharge under any act of Congress, or according to the general principles or usages of maritime law, as recognized in the United States, the officer shall discharge such seaman; and shall require from the master of the vessel, before such discharge shall be made, the payment of three months' extra wages, over and above the wages which may then be due to such seaman. When, however, after a full hearing of both parties, the cause of discharge is found to be the misconduct of the seaman, the consular officer may remit so much of the extra wages as would be, by section forty-five hundred and eighty-four, payable to the seaman. (See § 4,582.)

Extra Wages on Sale, etc.

Rev. Stat., § 4,582. Whenever a vessel belonging to a citizen of the United States is sold in a foreign country, and her company discharged, or when a seaman, a citizen of the United States, is, with his own consent, discharged in a foreign country, it shall be the duty of the master to produce to the consul or officer the certified list of his ship's company, and to pay such consul or officer, for every seaman so discharged, designated on such list as a citizen of the United States, three months' pay, over and above the wages which may then be due to such seaman.

Discharge, without Extra Wages.

Rev. Stat., § 4,583. No payment of extra wages shall be required upon the discharge of any seaman in cases where vessels are wrecked, or stranded, or condemned as unfit for service. If any consular officer, upon the complaint of any seaman that he has fulfilled his contract, or that the voyage is continued contrary to his agreement, is satisfied that the contract has expired, or that the voyage has been protracted by circumstances beyond the control of the master, and without any design on his part to violate the articles of shipment, then he may, if he deems it just, discharge the mariner without exacting the three months' additional pay. No payment of such extra wages, or any part thereof, shall be remitted in any case, except as allowed in this section.

Disposal of Extra Wages.

Rev. Stat., § 4,584. Whenever any consular officer, upon the discharge of any seaman, demands or receives extra three months' wages for such seaman, two thirds thereof shall be paid by such officer to the seaman so discharged, upon his engagement on board of any vessel to return to the United States. The

remaining third shall be retained for the purpose of creating a fund for the payment of passages of seamen, citizens of the United States, who may be desirous of returning to the United States, and for the maintenance of American seamen who may be destitute, and may be in such foreign port; and the several sums retained for such fund shall be accounted for with the Treasury every six months by the persons receiving the same.

Marine Hospital Tax.

Rev. Stat., § 4,585. There shall be assessed and collected by the collectors of customs at the ports of the United States, from the master or owner of every vessel of the United States arriving from a foreign port, or of every registered vessel employed in the coasting trade, and before such vessel shall be admitted to entry, the sum of forty cents per month for each and every seaman who shall have been employed on such vessel since she was last entered at any port of the United States; such sum such master or owner may collect and retain from the wages of such seamen. [Moneys to be deposited under § 4,803.]

When to be Collected Abroad.

Rev. Stat., § 4,586. Whenever a sale or transfer of any vessel of the United States is made in a foreign port or water, the consular officer of the United States within whose consulate or district the same is made, or in whose hands the papers of such vessel are, is required to collect of the master or agent of such vessel all moneys that shall have become due to the United States by virtue of the preceding section, and shall remain unpaid at the time of such sale or transfer; and such consular officer shall retain possession of the papers of such vessel until such money shall have been paid, as herein provided; and, in default of such payment, the sale or transfer shall be void, excepting as against the vendor.

When on Licensed and Enrolled Vessels.

Rev. Stat., § 4,587. No collector shall grant to any vessel except canal-boats employed in navigating the canals within the United States, whose enrollment or license for carrying on the coasting trade has expired, a new enrollment or license, unless the master of such vessel shall have first rendered a true account to the collector of the number of seamen and the time they have been employed on such vessel, during the continuance of the license which has so expired, and shall have paid to such collector forty cents per month for every such seaman who shall have been employed; which sum the master is hereby authorized to retain out of the wages of such seaman. Whenever the master of any registered, enrolled, or licensed vessel of the United States renders a false account of the number of seamen so employed, or of the length of time they have severally been employed, as is herein required, he shall be liable to a penalty of fifty dollars, which shall be applied to, and shall make a part of, the general fund created for the relief of sick and disabled seamen; and all needful regulations for the mode of collecting the sums hereinbefore mentioned shall be prepared under the direction of the Secretary of the Treasury, by such person as by him may be designated. [Decision 4,388 of 1880.]

Certificate of Citizenship.

Rev. Stat., § 4,588. The collector of every district shall keep a book, or books, in which, at the request of any seaman, being a citizen of the United States of America, and producing proof of his citizenship, authenticated in the manner hereinafter directed, he shall enter the name of such seaman, and shall deliver to him a certificate, in the following form, that is to say: "I, A. B., collector of the district of D., do hereby certify that E. F., an American seaman, aged . . years, or thereabouts, of the height of . . feet . . inches (describing the said seaman as particularly as may be), has, this day, produced to me proof in the manner directed by law; and I do hereby certify that the said E. F. is a citizen of the United States of America. In witness whereof, I have hereunto set my hand and seal of office, this . . . day of . . ." It shall be the duty of the collectors to file and preserve the proofs of citizenship so produced. For every certificate so delivered, the collector shall be entitled to receive from the seaman applying for the same the sum of twenty-five cents. (See § 2,174.)

Master to Disclose Impressments.

Rev. Stat., § 4,590. The collectors of the districts of the United States shall, from time to time, make known the provisions of the two preceding sections to all masters of vessels of the United States entering or clearing at their several offices. The master of every such vessel shall, before he is admitted to an entry by any such collector, be required to declare on oath whether any of the crew of the vessel under his command have been impressed or detained, in the course of his voyage, and how far he has complied with the directions of the preceding section. Every master who willfully neglects or refuses to make the declarations herein required, or to perform the duties enjoined by the preceding section, shall be liable to a penalty of one hundred dollars. The collectors shall prosecute for any forfeiture that may be incurred under this section.

Extra Wages on Discharge for Cruel Treatment.

Rev. Stat., § 4,600. It shall be the duty of consular officers to reclaim deserters and discountenance insubordination by every means within their power; and, where the local authorities can be usefully employed for that purpose, to lend their aid and use their exertions to that end, in the most effectual manner. In all cases where deserters are apprehended, the consular officer shall inquire into the facts; and, if he is satisfied that the desertion was caused by unusual or cruel treatment, the seaman shall be discharged, and receive, in addition to his wages to the time of the discharge, three months' pay; and the officer discharging him shall enter upon the crew-list and shipping articles the cause of discharge, and the particulars in which the cruelty or unusual treatment consisted, and subscribe his name thereto, officially.

Forfeited Wages and Effects.

Rev. Stat., § 4,604. All clothes, effects, and wages which, under the provisions of this Title, are forfeited for desertion, shall be applied, in the first instance, in payment of the expenses occasioned by such desertion, to the master or owner of the vessel from which the desertion has taken place, and the balance, if any, shall be paid by the master or owner to any shipping commis-

sioner resident at the port at which the voyage of such vessel terminates; and the shipping commissioner shall account for and pay over such balance to the judge of the Circuit Court within one month after the commissioner receives the same, to be disposed of by him in the same manner as is prescribed for the disposal of the money, effects, and wages of deceased seamen. Whenever any master or owner neglects or refuses to pay over to the shipping commissioner such balance, he shall be liable to a penalty of double the amount thereof, recoverable by the commissioner in the same manner that seamen's wages are recovered. In all other cases of forfeiture of wages, the forfeiture shall be for the benefit of the master or owner by whom the wages are payable.

Quarantine Regulations to be Observed, and Enforced.

Rev. Stat., § 4,792. The quarantines and other restraints established by the health laws of any State, respecting any vessels arriving in, or bound to, any port or district thereof, shall be duly observed by the officers of the customs revenue of the United States, by the masters and crews of the several revenue cutters, and by the military officers commanding in any port or station upon the seacoast; and all such officers of the United States shall faithfully aid in the execution of such quarantines and health laws, according to their respective powers and within their respective precincts, and as they shall be directed, from time to time, by the Secretary of the Treasury. But nothing in this Title [Lviii] shall enable any State to collect a duty of tonnage or impost without the consent of Congress.

Unlading under Health Laws.

Rev. Stat., § 4,793. Whenever, by the health laws of any State, or by the regulations made pursuant thereto, any vessel arriving within a collection district of such State is prohibited from coming to the port of entry or delivery by law established for such district, and such health laws require or permit the cargo of the vessel to be unladen at some other place within or near to such district, the collector, after due report to him of the whole of such cargo, may grant his warrant or permit for the unlading and discharge thereof, under the care of the surveyor, or of one or more inspectors, at some other place where such health laws permit, and upon the conditions and restrictions which shall be directed by the Secretary of the Treasury, or which such collector may, for the time, deem expedient for the security of the public revenue.

Quarantine Warehouses.

Rev. Stat., § 4,794. There shall be purchased or erected, under the orders of the President, suitable warehouses, with wharves and inclosures, where merchandise may be unladen and deposited, from any vessel which shall be subject to a quarantine, or other restraint, pursuant to the health laws of any State, at such convenient places therein as the safety of the public revenue, and the observance of such health laws, may require.

Deposit of Cargo in Inclosures.

Rev. Stat., § 4,795. Whenever the cargo of a vessel is unladen at some other place than the port of entry or delivery, under the foregoing provisions, all the articles of such cargo shall be deposited, at the risk of the parties concerned

therein, in such public or other warehouses or inclosures as the collector shall designate, there to remain under the joint custody of such collector, and of the owner, or master, or other person having charge of such vessel, until the same are entirely unladen or discharged, and until the articles so deposited may be safely removed without contravening such health laws. And when such removal is allowed, the collector having charge of such articles may grant permits to the respective owners or consignees, their factors or agents, to receive all merchandise which has been entered, and the duties accruing upon which have been paid, upon the payment by them of a reasonable rate of storage; which shall be fixed by the Secretary of the Treasury for all public warehouses and inclosures.

Extension of Time for Entrance.

Rev. Stat., §4,796. The Secretary of the Treasury is authorized; whenever a conformity to such quarantines and health laws requires it, and in respect to vessels subject thereto, to prolong the terms limited for the entry of the same, and the report or entry of their cargoes, and to vary or dispense with any other regulations applicable to such reports or entries. No part of the cargo of any vessel shall, however, in any case, be taken out or unladen therefrom otherwise than is allowed by law, or according to the regulations hereinafter established.

Temporary Removal from Port.

Rev. Stat., § 4,797. Whenever, by the prevalence of any contagious or epidemic disease in or near the place established at the port of entry for any collection district, it becomes dangerous or inconvenient for the officers of the revenue employed therein to continue the discharge of their respective offices at such port, the Secretary of the Treasury, or, in his absence, the First Comptroller, may direct the removal of the officers of the revenue from such port to any other more convenient place, within, or as near as may be to, such collection district. And at such place such officers may exercise the same powers, and shall be liable to the same duties, according to existing circumstances, as in the port or district established by law. Public notice of any such removal shall be given as soon as may be.

Canal Boatmen not Entitled to Hospital Relief.

Rev. Stat., § 4,804. No person employed in or connected with the navigation, management, or use of canal-boats engaged in the coasting trade, shall, by reason thereof, be entitled to any benefit or relief from the marine hospital fund.

Detention of Armed Cruisers.

Rev. Stat., § 5,290. The several collectors of the customs shall detain any vessel manifestly built for warlike purposes, and about to depart the United States, the cargo of which principally consists of arms and munitions of war, when the number of men shipped on board, or other circumstances, render it probable that such vessel is intended to be employed by the owners to cruise or commit hostilities upon the subjects, citizens, or property of any foreign prince or state, or of any colony, district, or people, with whom the United States are at peace, until the decision of the President is had thereon, or until the owner gives such bond and security as is required of the owners of armed vessels by the preceding section.

Ports of Delivery may be used for Entry.

Rev. Stat., § 5,314. Whenever the President shall deem it impracticable, by reason of unlawful combinations of persons in opposition to the laws of the United States, to collect the duties on imports in the ordinary way, at any port of entry in any collection district, he may cause such duties to be collected at any port of delivery in the district until such obstruction ceases; in such cases the surveyor at such port of delivery shall have the powers, and be subject to all the obligations, of a collector at a port of entry. The Secretary of the Treasury, with the approval of the President, shall also appoint such weighers, gaugers, measurers, inspectors, appraisers, and clerks, as he may deem necessary, for the faithful execution of the revenue laws at such port of delivery, and shall establish the limits within which such port of delivery is constituted a port of entry. And all the provisions of law regulating the issue of marine papers, the coasting trade, the warehousing of imports, and the collections of duties, shall apply to the ports of entry thus constituted, in the same manner as they do to ports of entry established by law.

Removal of Custom-House.

Rev. Stat., § 5,315. Whenever, at any port of entry, the duties on imports can not, in the judgment of the President, be collected in the ordinary way or by the course provided in the preceding section, by reason of the cause mentioned therein, he may direct that the custom-house for the district be established in any secure place within the district, either on land, or on board any vessel in the district, or at sea near the coast; and in such case the collector shall reside at such place, or on shipboard, as the case may be, and there detain all vessels and cargoes arriving within or approaching the district, until the duties imposed by law on such vessels and their cargoes are paid in cash. But if the owner or consignee of the cargo on board any vessel thus detained, or the master of the vessel, desires to enter a port of entry in any other district where no such obstructions to the execution of the laws exist, the master may be permitted so to change the destination of the vessel and cargo in his manifest; whereupon the collector shall deliver him a written permit to proceed to the port so designated. And the Secretary of the Treasury, with the approval of the President, shall make proper regulations for the enforcement on shipboard of such provisions of the laws regulating the assessment and collection of duties as in his judgment may be necessary and practicable.

Enforcement of the Preceding.

Rev. Stat., § 5,316. It shall be unlawful to take any vessel or cargo detained under the preceding section from the custody of the proper officers of the customs unless by process of some court of the United States; and in case of any attempt otherwise to take such vessel or cargo by any force, or combination, or assemblage of persons, too great to be overcome by the officers of the customs, the President, or such person as he shall have empowered for that purpose, may employ such part of the army, or navy, or militia of the United States, or such force of citizen volunteers as may be necessary, to prevent the removal of such vessel or cargo, and to protect the officers of the customs in retaining the custody thereof.

Closing Port of Entry.

Rev. Stat., § 5,317. Whenever, in any collection district, the duties on imports can not, in the judgment of the President, be collected in the ordinary way, nor in the manner provided by the three preceding sections, by reason of the cause mentioned in section fifty-three hundred and fourteen, the President may close the port of entry in that district; and shall, in such case, give notice thereof by proclamation. And thereupon all right of importation, warehousing, and other privileges incident to ports of entry, shall cease and be discontinued at such port so closed until it is opened by the order of the President on the cessation of such obstructions. Every vessel from beyond the United States, or having on board any merchandise liable to duty, which attempts to enter any port which has been closed under this section, shall, with her tackle, apparel, furniture, and cargo, be forfeited.

Vessels Besides Revenue Cutters.

Rev. Stat., § 5,318. In the execution of laws providing for the collection of duties on imports and tonnage, the President, in addition to the revenue cutters in service, may employ in aid thereof such other suitable vessels as may, in his judgment, be required.

Forfeiture of Vessels of Insurrectionary State.

Rev. Stat., § 5,319. From and after fifteen days after the issuing of the proclamation, as provided in section fifty-three hundred and one, any vessel belonging in whole or in part to any citizen or inhabitant of such State, or part of a State, whose inhabitants are so declared in a state of insurrection, found at sea, or in any port of the rest of the United States, shall be forfeited.

Vessels with Suspected Merchandise.

Rev. Stat., § 5,320. The Secretary of the Treasury is authorized to refuse a clearance to any vessel or other vehicle laden with merchandise, destined for a foreign or domestic port, whenever he shall have satisfactory reason to believe that such merchandise, or any part thereof, whatever may be its ostensible destination, is intended for ports in possession or under control of insurgents against the United States; and if any vessel for which a clearance or permit has been refused by the Secretary of the Treasury, or by his order, shall depart, or attempt to depart, for a foreign or domestic port without being duly cleared or permitted, such vessel, with her tackle, apparel, furniture, and cargo, shall be forfeited.

Bond for Clearance.

Rev. Stat., § 5,321. Whenever a permit or clearance is granted for either a foreign or domestic port, it shall be lawful for the collector of the customs granting the same, if he deems it necessary, under the circumstances of the case, to require a bond to be executed by the master or the owner of the vessel, in a penalty equal to the value of the cargo, and with sureties to the satisfaction of such collector, that the cargo shall be delivered at the destination for which it is cleared or permitted, and that no part thereof shall be used in affording aid or comfort to any person or parties in insurrection against the authority of the United States.

What Embraced in Revised Statutes.

Rev. Stat., § 5,595. The foregoing seventy-three Titles embrace the Statutes of the United States, general and permanent in their nature, in force on the first day of December, one thousand eight hundred and seventy-three, as revised and consolidated by commissioners appointed under an act of Congress, and the same shall be designated and cited as The Revised Statutes of the United States.

Repeal of Omitted Sections of Included Acts; Omitted Acts Continued in Force.

Rev. Stat., § 5,596. All acts of Congress passed prior to said first day of December, one thousand eight hundred and seventy-three, any portion of which is embraced in any section of said revision, are hereby repealed, and the section applicable thereto shall be in force in lieu thereof; all parts of such acts not contained in such revision, having been repealed or superseded by subsequent acts, or not being general and permanent in their nature: *Provided*, That the incorporation into said revision of any general and permanent provision, taken from an act making appropriations, or from an act containing other provisions of a private, local, or temporary character, shall not repeal, or in any way affect, any appropriation, or any provision of a private, local, or temporary character, contained in any of said acts, but the same shall remain in force;

And all acts of Congress passed prior to said last-named day, no part of which is embraced in said revision, shall not be affected or changed by its enactment.

The Title no Limitation to Construction of Sections.

Rev. Stat., § 5,600. The arrangement and classification of the several sections of the revision have been made for the purpose of a more convenient and orderly arrangement of the same, and, therefore, no inference or presumption of a legislative construction is to be drawn by reason of the Title, under which any particular section is placed.

Acts Passed between December 1, 1873, and June 22, 1874.

Rev. Stat., § 5,601. The enactment of the said revision is not to affect or repeal any act of Congress passed since the first day of December, one thousand eight hundred and seventy-three, and all acts passed since that date are to have full effect as if passed after the enactment of this revision; and, so far as such acts vary from, or conflict with, any provision contained in said revision, they are to have effect as subsequent statutes, and as repealing any portion of the revision inconsistent therewith.

Approved June 22, 1874.

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